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DOCUMENTS
RELATING TO THE
COLONIAL HISTORY
OF THE
STATE OF NEW JERSEY

EDITED BY

WILLIAM A. WHITEHEAD,

Corresponding Secretary of the New Jersey Historical Society; Author of *East Jersey Under the Proprietary Governments; Contribution to the Early History of Perth Amboy and the Surrounding Country*; Editor of the *Papers of Lewis Morris*, and of an *Analytical Index to the Colonial Documents of New Jersey*, etc., etc.

VOLUME VII.

PART OF ADMINISTRATION OF GOV. JONATHAN BELCHER

1746-1751.

NEWARK, N. J. :
DAILY ADVERTISER PRINTING HOUSE.
1883.



SOURCES

WHENCE THE DOCUMENTS IN THIS VOLUME WERE OBTAINED.

Public Record Office, London, England.

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New Jersey Historical Society Library.*

Rutherford Collection of Manuscripts.

*Papers of Ferdinand John Paris, in New Jersey Historical
Society Library.*

New York Colonial Documents.

Manuscripts of William A. Whitehead.

Pennsylvania Colonial Documents.

*Papers of Robert Hunter Morris, in Library of New Jersey
Historical Society.*



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NEW JERSEY
COLONIAL DOCUMENTS.

Letter from the Duke of Newcastle to the Lords of Trade—directing the preparation of the Commission and Instructions for Jonathan Belcher, appointed Governor of New Jersey.

From P. R. O. B. T. New Jersey, Vol. V. P. 78

Whitehall July 18th 1746.

My Lords,

His Majesty having been pleased to appoint Jonathan Belcher Esq^r to be Governor of Nova Casarea, or New Jersey, in America, in the Room of Lewis Morris Esq^r deceased. I am to signify His Majesty's Pleasure, That you should prepare Draughts of a Commission and Instructions for him, in order to be laid before His Majesty, for His Approbation.

I am My Lords, Your Lord^{ts} Most

Obedient humble Servant.

JOHN NEWCASTLE

Lords Comm^{rs} for Trade &c^t

¹ JONATHAN BELCHER was born in Boston, Mass., January 8th, 1682, and, giving indications of mental ability, received the best instruction the country then afforded, and graduated at Harvard College in 1699. He did not enter upon any profession, but engaged in mercantile business, and, to increase his qualifications therefor, spent several years in Europe. On his return to America he married Mary, daughter of Lieut. Gov. Wm. Partridge, and not only enlarged his business as a merchant, but became a candidate for public honors first as a member of the

Letter from the Lords of Trade to the Duke of Newcastle with a draft of a Commission for Jonathan Belcher to be Governor of New Jersey, to be submitted to the King.

(From P. R. O. B. T. New Jersey, Vol. XV, page 55.)

To His Grace the Duke of Newcastle.

My Lord

Having in Obedience to His Maj^{ty}'s Commands signified to Us by your Grace's Letter of the 18th Instant, prepared the Draught of a Commission for Jonathan Belcher Esq^r to be Governor of New Jersey in America. We take leave to inclose the said Draught to your Grace, with Our Representation thereupon, which you will please to lay before His Maj^{ty}

We are &c.

Whitehall)	J. PITT	MONSON
July 24, 1746. (B. L. GOWER,	R. PLUMER

TO THE KING'S MOST EXC^t MAJESTY

May it please your Majesty,

In Obedience to your Majesty's Commands signified to Us by a Letter from His Grace the Duke of Newcastle, One of your Majesties Principal Secretaries of State, dated the 18th Instant, We have prepared the

legislature from his native town, and subsequently as one of the Council exhibiting great zeal and activity in advancing the interests of the Province. In 1729, he was appointed Agent for New England at the Court of Great Britain, and on the 29th November of the same year, was appointed Governor of Massachusetts and New Hampshire. He was superseded in 1741, his administration proving unsatisfactory to the ruling spirits of the Province. He went again to England and remained there most of the time until his appointment as Governor of New Jersey, for which it is thought he was greatly indebted to the influence of his brother-in-law, Richard Partridge, then Agent of the Province. Many of the documents here printed are from copies made some years ago, of the originals in the Massachusetts Historical Society Library, and deposited in the Library of the New Jersey Historical Society. Eo

Draught of a Commission for Jonathan Belcher Esq' to be your Majesty's Governor of New Jersey in America. Which being in the usual Form, We herewith humbly lay the same before your Majesty, and shall prepare the necessary Instructions for him with all possible dispatch.

Which is most humbly submitted

Whitehall	MONSON	J. PITT
July 24, 1746.	R PLUMER	B. LEYFESON GOWER

GEORGE the second by the Grace of God, of Great Britain, France and Ireland King Defender of the Faith &c. To Our Trusty and Welbeloved Jonathan Belcher Esq' *Greeting.* We reposing especial Trust and Confidence in the Prudence Courage and Loyalty, of you the said Jonathan Belcher, of Our especial Grace certain knowledge and mere motion have thought fit to constitute and appoint, and by these Presents do constitute and appoint you the said Jonathan Belcher to be Our Captain General and Governor in chief in and over Our Province of Nova Casarea or New Jersey in America.

And we do hereby require and command you to do and execute all things in due manner that shall belong unto your said Command and the Trust We have reposed in you, according to the several Powers and Directions granted or appointed you by this present Commission, and the Instruct^{ns} and Authorities herewith given you, or by such further Powers, Instructions and Authorities as shall at any time hereafter be granted or appointed you, under Our Signet and Sign manual, or by Our Order in Our Privy Council, and according to such reasonable Laws and Statutes as now are in Force, or hereafter shall be made and agreed upon by you, with the Advice and Consent of Our Council and the Assembly of Our said Province under

your Government, in such manner and Form as is hereafter express'd.

[What follows in the original is in every particular the same as in the Commission of Governor Morris; which may be found in Volume VI, p. 2, and is therefore omitted.]

Letter from the Lords of Trade to the Duke of Newcastle, with a draft of the Instructions to Governor Belcher, to be submitted to the King.

(From P. R. O. B. T. New Jersey, Vol. XV, p. 77.)

To His Grace the Duke of Newcastle.

My Lord,

Having prepared a Draught of General Instructions, as also of those which relate to the Acts of Trade and Navigation of Jonathan Belcher Esq^r whom His Majesty has been pleased to appoint Governor and Commander in chief of New Jersey, We take Leave to enclose the said Draught to your Grace, together with Our Representation thereupon, and to desire your Grace will please to lay them before His Maj^{ty}

We are, My Lord, Your Grace's
most Obedient and most humble Servants.

B. LEVESON GOWER

MONSON

DUPPLIN

J. PITT .

R. HERBERT

J. GRENVILLE

R. PLUMER

WHITEHALL {
Nov^r 27th 1746. }

TO THE KING'S MOST EXCELLENT MAJESTY.

May it please your Majesty,

In Obedience to your Majesty's Commands signified to us by His Grace the Duke of Newcastle, One of

your Majesty's Principal Secretaries of State, in his Letter dated the 18th of July last, We have prepared the inclosed Draught of General Instructions and of those which relate to the Acts of Trade & Navigation for Jonathan Belcher Esq^r whom your Majesty has been pleased to appoint Gov^r and Commander in chief of New Jersey, in which We have made no Alterations or Omissions, from the Instructions given by your Majesty to Lewis Morris Esq^r, late Governor of that Province, save only in the following Articles.

In the first Article, We have inserted, as usual, the names of twelve Councillors, viz^t John Hamilton, John Reading, James Alexander, John Rodman, Richard Smith, Robert Hunter Morris, Edward Antill, James Hude, John Coxe, Andrew Johnson, Peter Kimball, and Thomas Leonard, Esq^r, they having been already approved of by your Majesty.

The 74th Article in the present Instructions contains the Substance of an additional Instruction given by your Majesty to Lewis Morris Esq^r late Governor of New Jersey in the Year 1745, whereby he was directed to send Assistance to the Province of Nova Scotia, in case the same should have been attacked.

We have omitted the 86th Article in the late Governors Instructions relating to the Treaty of Peace and Neutrality between England and France in America made in the Year 1696, the same having been omitted during the Wars with France in the Reigns of King William and Queen Anne.

In the Instructions relating to the Acts of Trade and Navigation, We have added the Titles of three Acts passed in the 15th 17th and 19th Years of your Majesty's Reign, Entituled, An Act for the further regulating the Plantation Trade, and for the Relief of Merchants importing Prize Goods from America and for preventing collusive Captures there.

An Act for the better Encouragement of Seamen in

His Majesty's Service, and Privateers to annoy the Enemy, and,

An Act for the better Encouragement of His Majesty's Sugar Colonies in America.

Which is most humbly submitted

MUNSON

B. LEVESON GOWER

R. PLUMER.

DUPPLIN

J. PITT

FRAN: FANE

WHITEHALL)
Nov^r 27th 1746. }

R. HERBERT.

INSTRUCTIONS to Our Trusty and Wellbeloved Jonathan Belcher Esq^r Our Captain General & Governor in chief, in and over Our Province of Nova Casarea, or New Jersey in America. *Given at* . . .

1st With these Our Instructions you will receive Our Commission under Our great Seal of Great Britain, constituting you Our Cap^t General and Governor in chief, in & over Our Province of New Jersey; You are therefore with all convenient speed to repair to Our said Province, and being there arrived, you are to take upon you the Execution of the Place and Trust, We have reposed in you, and forthwith to call together the following Persons whom We do by these Presents constitute and appoint Members of Our Council in and for that Province viz^t John Hamilton, John Reading, James Alexander, John Rodman, Richard Smith, Robert Hunter Morris, Edward Antill, James Hude, John Coxe, Andrew Johnston, Peter Kimboll, and Thomas Leonard Esq^r; as also Thomas Lechmere Esq^r Surveyor General of Our Customs and the Surveyor Gen^l of Our Customs in the Northern District of Our Dominions in America for the time being, shall be admitted to sit and vote in the Council as a Councillor Extraordinary.

[The Instructions, excepting as stated in the pre-

ceding letter, conform to those given Governor Morris, which may be found printed in Volume VI. p. 15, and are therefore omitted here.]

ORDERS & INSTRUCTIONS to Our Trusty and Welbeloved Jonathan Belcher Esq^r Our Captain General and Governor in chief in and over Our Province of Nova Caesarea or New Jersey in America, in pursuance of several Laws relating to the Trade & Navigation of this Our Kingdom of Great Britain, and Our Colonies & Plantations in America. *Given at*

First. You shall inform yourself of the principal Laws relating to the Plantation Trade, viz^t *The Act for the encouraging and encreasing of Shipping & Navigation*, made in the 12th Year of the Reign of King Charles the 2^d *The Act for preventing Frauds, and regulating Abuses in His Majesty's Customs*, made in the 14th Year of the said King's Reign; *the Act for the Encouragement of Trade*, made in the 15th Year of the said King's Reign; *the Act to prevent the planting of Tobacco in England, & for regulating the Plantation Trade*, made in the 22^d & 23^d Years of the said King's Reign; and continued by a Clause in the Act against clandestine running of Goods, and for the more effectual preventing of Frauds relating to the Customs, made in the 5th Year of the Reign of Our late Royal Father; *The Act for the Encouragement of the Greenland and Eastland Trades, & for the better securing the Plantation Trade*, made in the 25th Year of the said King Charles's Reign; *The Act for preventing Frauds & regulating Abuses in the Plantation Trade*, made in the 7th & 8th Years of the Reign of King Wil-

liam the 3^d *The Act to permit the Exportation of Irish Linnen Cloth, to the Plantations &c.* made in the 3^d & 4th Years of the Reign of Queen Anne, and continued & explain'd by an Act pass'd in the 3^d Year of His late Majesty's Reign for continuing the Liberty of exporting Irish Linnen Cloth to the British Plantations in America Duty free &c. The Act for an Union of the two Kingdoms of England and Scotland, made in the 5th Year of the said Queen's Reign, in which are certain Articles relating to the Plantation Trade, more particularly the 4th 5th & 6th; *The Act for ascertaining the Rates of foreign Coins, in Her Majesty's Plantations in America*, made in the 6th Year of the same Queen's Reign; *The Act for the Encouragement of the Trade to America*, made in the same Year of the said Queen's Reign; A Clause in the Act for continuing several Impositions and Duties upon Goods imported &c. and to limit a time for Prosecution upon certain Bonds given by Merchants call'd in the Act Plantation Bonds, made in the 8th Year of the said Queen's Reign; *The Act for the preservation of white & other Pine Trees growing in Her Majesty's Colonies of New Hampshire the Massachusetts Bay, and Province of Main, Rhode Island and Providence Plantation, the Narraganset Country or King's Province and Connecticut in New England, and New York and New Jersey in America, for the Musting her Majesty's Navy*, made in the 9th Year of the said Queen's Reign; *The Act against clandestine running of uncustom'd Goods, and for the more effectual preventing of Frauds relating to the Customs*, made in the 5th Year of His late Majesty's Reign; *The Act giving further Encouragement for the Importation of Naval Stores, & for other purposes therein mention'd*, made in the 8th Year of His said late Majesty's Reign, *The Act for the more effectual Suppression of Piracy*, made in the same Year of His said late Majesty's Reign; *The Act for the better Pres-*

ervation of His Majesty's Woods in America, and for the Encouragement of the Importation of Naval Stores from thence made in the second Year of Our Reign; The Act for importing from His Majesty's Plantations in America, directly into Ireland, Goods not enumerated in any Act of Parliament, made in the 4th Year of Our Reign, as explain'd by an Act pass'd in the 5th Year of Our Reign; the Act for the more easy Recovery of Debts in His Majesty's Plantations and Colonies in America, made in the fifth Year of Our Reign; The Act to prevent the Exportation of Hatts out of any of His Majesty's Colonies or Plantations in America, & to restrain the Number of Apprentices taken by the Hatmakers in the said Colonies or Plantations &c. made in the same Year of Our Reign; The Act for the encouraging the Growth of Coffee in His Majesty's Plantations in America, made in the same Year of Our Reign; The Act for the better securing & encouraging the Trade of His Majesty's Sugar Colonies in America, made in the sixth year of Our Reign; And the Act for the further Encouraging and regulating the Manufacture of British Sail Cloth; and for the more effectual securing the Duties now payable on foreign Sail Cloth imported into this Kingdom made in the 9th Year of Our Reign; The Act for granting Liberty to carry Sugars of the Growth, Product or Manufacture of any of His Majesty's Sugar Colonies in America, from the said Colonies directly to foreign Parts in Ships built in Great Britain and navigated according to Law, pass'd in the 12th Year of Our Reign; The Act for the better Supply of Mariners and Seamen to serve in His Majesty's Ships of War, and on Board Merchants Ships, and other trading Ships and Privateers, pass'd in the 13th year of Our Reign; The Act for the more effectual Securing and encouraging the Trade of His Majesty's British Subjects to America, and for the Encouragement of Seamen to

enter His Majesty's Service pass'd also in the 13th Year of Our Reign; *The Act for restraining and preventing several unwarrantable Schemes & undertakings in His Majesty's Colonies and Plantations in America*, pass'd in the 14 Year of Our Reign; *An Act for further regulating the Plantation Trade, and for Relief of Merchants importing Prize Goods from America, and for preventing Collusive Captures there &c.* pass'd in the 15th Year of Our Reign; *An Act for the better Encouragement of Seamen in His Majesty's Service and Privateers to annoy the Enemy*, pass'd in the 17. Year of Our Reign, And an *Act for the better Encouragement of the Trade of His Majesty's Sugar Colonies in America*, passed in the 18 Year of Our Reign; All which Laws you will herewith receive, and you shall take a Solemn Oath to do your utmost that all the Clauses, Matters and Things contain'd in the before recited Acts, and in all other Acts of Parliament now in force, or that hereafter shall be made relating to Our Colonies or Plantations be punctually & bonâ fide observed, according to the true Intent and Meaning thereof. [The rest of these Instructions for Trade being exactly the same (*mutatis mutandis*) as those given to all other Governors on the Continent of America, vide Virginia H. fol^o 250.]

[In Volume VI, p. 422, will be found a letter from Ferdinand John Paris, dated February 17th 1747, relating to the delay of Governor Belcher in obtaining his Commission and Instructions which were awaiting his application for them. Under date of 13th February Mr. Paris states that, the Governor had called at the proper office a few days previously for the first time in five months, to inquire about them, and had deposited £200 to pay the fees; and it was supposed that the money had been obtained through the agency of his brother-in-law Richard Partridge, from the Quakers of Yorkshire, upon representations of the benefit derived

by the Quakers of Massachusetts during the administration of Mr. Belcher there, and what might be expected from him in New Jersey. Analytical Index. p. 200.---ED.]

Proceedings of the Council of New Jersey on the arrival of Governor Belcher.

[From the Alexander Papers, Vol. I, No. 20, in the Rutherford Collection.]

Att a Council held at Perth Amboy in New Jersey August 10th 1747.

PRESENT.

The hon^{ble} John Reading Esq^r President.

Edward Antill	Peter Kemble	{ Esq ^{rs}
James Hude	And ^r Johnston	

Jonathan Belcher Esq^r produced his Majesties Letters patent under the Great Seal of Great Brittain bearing date the thirteenth day of february Last appointing him Captain, General and Governor in Chief of the province of New Jersey and a Commission under the Broad Seal of the admiralty of Great Brittain dated the Second of March last appointing him Vice admiral of the Said province; which Letters patent and Commission were read.

The Council then administered to his Excellency Jonathan Belcher Esq^r the Several oaths mentioned in his Letters patent; and Likewise the usual oath for the due Execution of his Office of Captain, General and Governor of this province, and also that he Should do his utmost that the Several Laws relating to trade and the plantations Should be observed; and also the oath for duely Executing his office of Chancellor, and keeper of the Great Seal of this province. And the Said John Reading Esq^r delivered to his Excellency the Seals of the province.

After which his Excellency administered the oaths appointed by Said Letters patent to the Gentlemen of the Council that were present this day [John Reading, Edward Antill, James Hude, Peter Kemble and Andrew Johnston.]¹

Then his Excellency with the Council went to the City Hall when his Excellency's Letters patent appointing him Captain General and Governor in Chief of this province; and his Commission for Vice admiral of the same, were published & openly read.

Then his Excellency ordered a proclamation to be issued for Continuing all officers Civil and Military within this province in their Several and Respective offices and Employments, until further orders.

Letter from Ferdinand John Paris, to James Alexander.

[From Papers of F. J. Paris in Library N. J. Hist. Soc. Bundle X, No. 47.]

Sir

[Extract.]

* * * * * I am very sorry * * * * * to see that your Assembly has, on their Part, so little Inclination to assist the Government, as by their Proceedings they seem to have; and do expect, when your New Governor arrives, they will have still less Inclination, that Way: For I am much mistaken if he is at all Warm in the Land Proprietors Interest. Tho' he Will, undoubtedly, pretend to be so And he has so Close a Way of Acting, that he may deceive those who believe, or don't know him. But if the Ryoters know him, & his Ways, You'll soon discover his Real Inclinations, which every one here expects to see Proofs of

¹ Robert H. Morris was sworn August 11th, John Rodman, Richard Smith and Thomas Leonard on August 20th.

Finding no sort of likelihood that this Affair sho'd be considered here, I was willing to serve you as much as I could, by making those Ryots Serve in Order to get out the Papers, which you so much desire to have, from the Board of Trade. * * * * *

I have not more at present, but to acquaint you that I perceive, by your repeated Letters to me about the Ryots, You plainly wish that I wou'd be active, & get something done therein, on our Side. I have therefore Stirred more therein, than your first Orders had directed me to do, but as I expected before, I See no Probability of the matter being taken up here. And am

Sir Your most obed^t humble Serv^t.

Frederick John Paris

[Under date of October 17th, 1747, M^r Paris wrote to M^r Alexander, "As to the Affairs of the Riots, I do not find that our Sec^y of State, or Lords of Trade, have taken any one Step therein, more than when I wrote you last."]

Addresses to Governor Jonathan Belcher on his arrival, and his Answers thereto.

[From the New York Weekly Postbox of August 17th 1747.]

To his Excellency JONATHAN BELCHER ESQ^r
Captain General and Governor in Chief of
his Majesty's Province of New Jersey and

¹ Mr. Paris had been agent of the Proprietors of East Jersey for some years. For a notice of him see Volume VI, page 424.

² GOVERNOR BELCHER arrived from England on Saturday, August 8th on board His Majesty's Ship, Fearterough. He landed at Perth Amboy having come in his barge from Sandy Hook. Analytical Index of Colonial Documents, p. 207. R.

Territories thereon depending in America,
and Vice Admiral of the same &c.

The Humble Address of the President and Council of Proprietors for the Eastern Division of New Jersey.

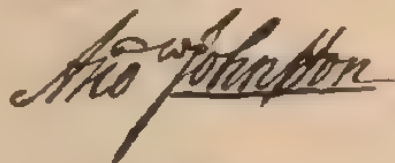
Sir

We wait on your Excellency to express our sincere Joy on your safe arrival in your Government; we pray that your Administration may establish Peace so much wanted in the Province, and may prove happy to yourself; and we make your Excellency the Tender of our heartiest Endeavours to promote the Publick Good in general, and your Excellency's Ease and Satisfaction in particular.

As at the Surrender of the Government by the General Proprietors it was stipulated, that the Governor for the Time being, should receive from his Majesty a certain Set of Instructions, relating to the Owners of the Soil, then agreed upon; we make no doubt but your Excellency comes furnished therewith, and will, whenever we apprehend ourselves injured, and apply to you for Redress, give us all the Countenance and Assistance in your Power.

By Order of the Council.

Perth Amboy August 12. 1747

A handwritten signature in cursive script, appearing to read "John Belcher".

President.

To which his Excellency was pleased to give the following Answer

Gentlemen, I am obliged to you for your handsome Address of Congratulation, upon my safe Arrival to

this his Majesty's Government; and for the kind Assurances you give me of your heartiest Endeavours to promote the Public Good, as well as my Ease and Satisfaction; and this I still take the more kindly, while a set of wicked and unreasonable Men have in some Parts of the Province, in the most violent Manner, trampled on all Authority.

You may assure yourselves, that I shall at all Times have a strict Regard to his Majesty's Royal Orders, and with much Pleasure receive such Applications as you may at any Time make to me for redressing any Injuries, or Injustice that may be attempted on the Rights and Interest of the Proprietors of the Eastern Division of this Province.



The same Day the Corporation of this City [Perth Amboy] presented also the following Address.

To His Excellency JONATHAN BELCHER, Esq'
Captain General and Governor in Chief in
and over His Majesty's Province of Nova
Cæsarea, or New Jersey, &c. and Vice Ad-
miral in the same.

The humble Address of the Mayor, Recorder,
Aldermen and Common Council Men of the
City of Perth Amboy, in Common Council
assembled.

May it please Your Excellency

The Corporation of the City of Perth Amboy, hum-
bly beg Leave to congratulate your Excellency on your
safe Arrival to this your Government of New Jersey.
We esteem it a particular instance of his Majesty's

Royal Favour and tender Regard for his Subjects here, that he hath been graciously pleased to appoint a Gentleman to preside over us, who is so well acquainted with the Constitution of his Northern Colonies; as a grateful Acknowledgement whereof, we shall always use our utmost Endeavours to render your Excellency's Administration pleasant and easy.

The City of Perth Amboy is not only most commodiously situated for a Place of Trade, but is one of the best Harbours for shipping upon the Continent, and yet hath hitherto struggled with many Difficulties; nevertheless, by your Excellency's Favour and Kind Protection (which we humbly pray for) we hope Trade will flourish amongst us.

We heartily wish we could have welcomed your Excellency into a Government at Peace within itself, amidst the Calamities of a foreign War; but such is our Misfortune at present, that most notorious Riots are frequently and openly committed in the Province with Impunity, by Persons so infatuated as to attempt the Subversion of our happy Constitution and Government, and by Force to abolish those good Laws by which we and our Fore-Fathers have been hitherto governed. But we hope your Excellency's seasonable Arrival will strike a Terror into those Disturbers of the Public Peace, and oblige them to return to their Duty; which we would be very desirous of.

That we may all cheerfully do our Duty to the best of Kings; that his Majesty's Arms both by Sea and Land may be always successful and victorious; and that we may thereby obtain a speedy and honourable Peace; And that your Excellency may live long amongst us and enjoy the good Effects of these Blessings, are the sincere Wishes and Prayers of us, and of His Majesty's most dutiful and loyal Subjects the Citizens of Perth Amboy.

To which his Excellency was pleased to return the following Answer.

Gentlemen I thank you very kindly for this Mark of your Respects upon my safe Arrival, after escaping, by the Favour of Heaven, the many Perils of the Seas; I have hardly ever seen a Place more pleasantly situated for Health or more commodiously for Trade, than Perth Amboy; and you may depend on every thing on my part to render it a flourishing City.

It gives me much Concern, that you are obliged to lay before me the wicked Practices of some abandoned People in the Province. I am sure nothing will be wanting in me to discountenance and suppress such flagrant and impudent Violations of all Rule and Government, and I doubt not but the Governor, Council and Assembly will be united as one Man, in the wisest Measures they can fall into, for restoring the Peace and Prosperity of this People.

J. BELCHER.

Letter from Chief Justice Robert Hunter Morris to James Alexander.

(From the Original Papers of James Alexander, in the Rutherford Collection Vol. I, No 14.)

Morrisania Aug^r 20. 1747

Dr Sir

Extracts.

I am highly pleased with the gov^rs answers to the severall addresses and hope they will have good Effects.

A few days after the Corporation of Elizabethtown waited upon the Governor with an address, in which they said "Our Corporation being the oldest and largest Town in this Government, would appear among the foremost in our Endeavours to render your Excellency easy and happy in the Government of a loyal and obedient People." Notwithstanding the attentions bestowed upon Perth Amboy by the Governor the attractions of Elizabethtown appear to have insured it his preference, as he took up his residence there during the latter part of his administration. - Ed

I think as formerly that the councill should push that matter as strongly as they can and insist that something Effectuall be done in that before any other business be entered upon, and if that point be once gained we shall be better able to carry the other things we have to propose. * * * M^r Clinton took it amiss that M^r Belcher did not notifie his arrival to him, I would not willingly have a misunderstanding between them Especially as M^r Belcher proposes soon to come to york: I therefore wish you would fall on some way to let him know that 'tis Expected. Your son promis'd me to mention this to you but least he should forget it I have taken notice of it

I have seen Ogden who informs me that some of the Rioters are indicted for High Treason, and that John Low is gone to Boston - I thought it proper he should make use of these two things among the people by observing to them the Danger they have been led into which if they persisted in the same measures would End in the death of many and the Ruin of others, and at the same time observe to them that M^r Low had left them at a time when it might have been in his power to have said something in their favour to the Gov^t and Assembly, and by this Means to prevail upon some of them to Discover the foundation and first Rise of those disturbances which certainly were occasioned by M^r Low. * * *

Your Most Faithfull Humble serv^t

Rob^t. H. Morris

Speech of Governor Belcher to the Council and Assembly of New Jersey, and the Answers of the Council and General Assembly. August 20th 22d. 1747.

(From the New York Gazette of August 31st, 1747, among Papers of James Alexander, Vol I, No 18 and Vol III, No 20, in Rutherford Collection.)

The Speech of his Excellency Jonathan Belcher, Esq^r Captain General and Governor in Cheif of the Province of New Jersey : to the Council and General Assembly of said Province, on Thursday the 20th of August, 1747.

Gentlemen of the Council, and of the General Assembly

I do, in the first Place, give thanks to Almighty God, my great and kind Preserver from the Perils of the Seas, and in a Time of general War, and for my safe Arrival.

I am sensible you must have long since heard of his Majesty's Grace and Favour to me, in appointing me to the Government of Nova Casrea, or New Jersey, and I have been impatiently waiting in England for the Opportunity of a Passage in a Ship of War, and have embraced the first bound this way.

I have published his Majesty's Royal Commission at Perth Amboy, and at this place, as has been usual, and according to my Duty, and my Oath to his Majesty (and renewed here) I shall strictly conform myself to the King's Commands, and to the Powers granted me therein : as also to the additional Authorities contained in the King's royal Orders to me ; and from these Things I think you will not desire me to deviate

While I was at the Head of two considerable Provinces in New England, my Administration was often approved by his Majesty; and altho' he was pleased, for his own wise Reasons, to remove me after having had the Honour of his royal Commission there upwards of eleven Years: yet I accept with all Thankfulness his conferring on me the Government of this fine flourishing Province, as a repeated public Testimony of his full Satisfaction in my Conduct in the Government of those Provinces

I am, Gentlemen, glad to have this early Opportunity of Meeting you in General Assembly: tho' it is my Misfortune to be so much a stranger, as I am at present to your public Affairs, and to the Circumstances of this Province; but I promise you to devote myself to obtain the best Knowledge I can of them, that I may be the more capable of accomplishing my own warm Desires and firm Resolutions, of doing every thing in my Power, that may contribute not only to the general Welfare of the Province, but my Good Wishes are extended to the Protection and Ease of every Individual among you: and while I shall thus conduct myself, I am sure I shall in the best Manner do my Duty, and thereby render my self acceptable to the best of Kings, who always looks upon the Happiness of his People inseparably blended with his own Honour and Interest.—

Gentlemen of the Council

As his Majesty has been pleased to honour you with Seats at this Board, and thereby has not only made you a Part of the legislative Power, but Councillors also to his Governor, and to which you have been duly qualified; I shall on all Occasions much esteem your Advice and Assistance for my better managing the Affairs of the Government—

Gentlemen of the Assembly

It is more peculiarly your Privilege and Duty to make the necessary Supplies for the payment of the publick Debts, and for the Support of the Government: I therefore shall not doubt of your early and effectual Care in things that so nearly affect his Majesty's Honour and Service, as well as the Safety and real Interest of the People whom you represent. And while I am on this Head, not only in Obedience to his Majesty's Command, but also the better to prevent any future Difficulty, I am to acquaint you, that his Majesty expects you to settle on me an ample and honourable Salary, Suitable to the Dignity of his Majesty's Governor; and in this you will consider how much what passes for Money among you has been depreciating for some Years past, and will therefore fix the Value of my Salary that I may not suffer in Time to come. I must also inform you that I have been at a great Expence in my Commissions, Equipage, and other Charges relating to the Government, of which I shall not doubt your reasonable Consideration (as has been usual in his Majesty's other Governments) and that you will make suitable Provision for a House to receive me: and I shall be glad to pitch upon such a Place for my Residence as may best concert with his Majesty's Honour, and with the Ease of the People, as well as my own Conveniency, altho' the last will have the least Weight with me.

Gentlemen of the Council and of the General Assembly

It gives me much Concern to find by the Addresses from several Corporations in my way from Perth Amboy to this City, that some parts of the Province are in great Confusion, through the audacious Attempts of a Sett of seditious Persons to shake off their Allegiance to the King, to trample upon his Laws, and to subvert all Rule and Government: If there be any Reason for Complaints, it is the incumbent Duty of

all People to seek Redress from the Laws of the Land, and from their Rulers : *and to submit to every Ordinance of Man for the Lord's Sake.*

I am sorry to have this Difficulty to encounter at my first coming among you : yet it shall not discourage me, but I hope the Governor, Council, and General Assembly will unite as one Man, to endeavour to fall into such Measures, as by the Help of God, may put an End to the present Disorders, and restore lasting Peace and Tranquility to the Government, and to all the People. And then I am sure the present and future Generations will have Reason to *rise up and call us blessed.*

Gentlemen

As it is a busy Season of the Year, I suppose you will incline to make this Session short, by going on no other Business but what you may judge necessary to be done at this Juncture, and that you may the sooner return to your private Affairs ; and I shall be ready to conform my self to your Interest and Ease in this Matter.

I hope your Deliberations and Debates will at all Times be carried on with such Temper and Moderation as that the whole Legislature may form their Resolutions for establishing the Prosperity of this People with a happy Unanimity, which is the best Bandage and Strength of a Government. I am sure Nothing will be wanting in me to promote such a beautiful Harmony.

Burlington August 20, 1747

L Belcher

[Answer of the Council.]

To his Excellency JONATHAN BELCHER, ESQ^r,
Captain General and Governor in Chief in
and over his Majesty's Province of NEW
JERSEY, and Territories thereon depending
in AMERICA, Chancellor and Vice-Admiral
in the Same

May it please your Excellency

WE His Majesty's Council for the Province of New Jersey give your Excellency our hearty Thanks for your favorable Speech; and beg leave to congratulate you on your safe Arrival to this his Majesty's Government of New Jersey, after a Voyage attended with uncommon Dangers in this Time of general War, for which we are pleased to find your Excellency make so publick and grateful an Acknowledgement to the Almighty, and we sincerely Join with your Excellency therein

Most of us have been Witnesses to the Publication of his Majesty's Commission, by which we are sensible your Excellency is Justly intitled to the Government of this Province: and we believe your Excellency embraced the first Opportunity of coming to it: the unhappy Situation whereof called loudly for your Presence

It is with the highest Satisfaction we find your Excellency determined strictly to conform to the Commands and Instructions of his Majesty; since (as we suppose them to be the same that they usually have been) they are inseparably blended with the Interest and Happiness of his People. And as his Majesty's appointing you to the Government, is a Proof of his Royal Satisfaction in your former Administration in a neighbouring Colony, so we have the strongest Reason

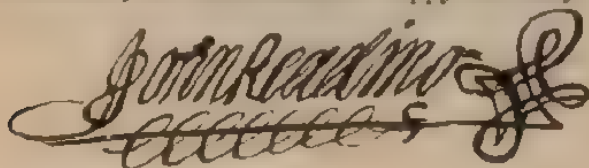
to hope, and make not the least doubt, but that you will persist in approving your Conduct to his Majesty, by a steady and prudent Administration, and thereby render the People of this Province, safe, happy and flourishing: And as his Majesty has been pleased to honour us to be of his Council here, we shall upon all Occasions, chearfully afford your Excellency our best Advice and Assistance, when ever you shall require them; and we will readily concur with the other branch of the Legislature, in supporting the Government in an ample and honourable Manner.

And we return your Excellency our highest Acknowledgements for the firm Resolution you express, of doing every thing in your Power that may contribute not only to the general Welfare of the Province, but to the Ease of every Individual among us. Such a Conduct will not only render your Excellency acceptable to the best of Kings, but will always command the Affections of a grateful People.

It is with the greatest Concern, that we assure your Excellency of the Truths represented to you, by the several Addresses, in relation to the many notorious and wicked (and to all understanding and good Men, detestable) Riots, that have of late been committed within this Province, animated and spirited up by a few designing and wicked Men, big with the unjust and destructive Views of building up their own Fortunes on the Ruins of others; and who by crafty Insinuations and base Artifices have deluded from their Duty a great Number of ignorant and otherwise innocent Persons.

We are truly concerned that your Excellency has such a Difficulty to struggle with, in the Beginning of your Administration; But as your Excellency's Resolution not to be in the least discouraged, will be under the Influence of Heaven) the first and greatest Step towards surmounting it; So we shall do every Thing

we are able to strengthen your Hands, and heartily Join with your Excellency and the other Branch of the Legislature, in doing every thing in our Power, to restore Peace and Tranquility to your Government, and to render your administration happy and easy.



Speaker.

Burlington August 22d 1747.

[For which the Governor briefly returned his hearty thanks.]

Tuesday August 25. 1747

Mr Speaker with the House [of Representatives] attended his Excellency, and presented their Address in the following Words, viz
To His Excellency JONATHAN BELCHER, Esq:
Captain General and Governor in Chief in and over his Majesty's Province of NOVA CAESAREA OF NEW JERSEY, and Territories thereon depending in America, and Vice-Admiral in the same &c

May it please your Excellency

WE his Majesty's most dutiful and and loyal Subjects, the Representatives of the Colony of New Jersey, now in General Assembly convened, do, with the greatest Pleasure, embrace this Opportunity of congratulating your Excellency on your safe Arrival to this your Government of New Jersey, at a Time when you had both the Dangers of the Seas and the Enemy to encounter with; and we Join with your Excellency in returning

Thanks to Almighty God, for your Preservation from these Perils.

We had early Intelligence of his Majesty's Grace and Favour to your Excellency, and to this Colony, in appointing you Governour of Nova Caesaria, or New Jersey; and we have been long impatiently wishing and waiting for your Excellency's safe Arrival:

Several of us are Witnesses of your Excellency's publishing your Commission in the Manner you have been pleased to mention to us. The conforming yourself to the King's Commands, and the Powers granted you therein, are what his Majesty will no doubt expect from you; and we hope we shall have no Reason to desire your Excellency to deviate from the same.

We in the most humble Manner acknowledge his Majesty's Grace and Favour, in appointing a Gentleman of your Excellency's great Abilities to govern this Colony, who from your being at the Head of two considerable Provinces in America for so long a Time, must be well experienced in the Nature of Government: And from the short Acquaintance we have had with your Excellency, we have great Reason to hope your Excellency's Inclinations are equal to your Abilities and that they will both be employ'd to make us a flourishing and happy People: We are therefore glad to have this early Opportunity of Meeting your Excellency in General Assembly. The kind and publick Manner in which you have declared you will apply Yourself to obtain the best Knowledge you can of our Publick Affairs (that you may be the more capable of accomplishing your warm Desires and firm Resolutions of doing every thing in your Power that may Contribute to the general Welfare of the Province) and that your Good Wishes are extended to the Protection and Ease of every Individual among us, demand and engage our sincerest Affections and Thanks. Such Assurances from the Supreme Ruler and Governor of

a Province, we hope will have a good Influence upon all inferior Officers in this Government; and we think cannot fail of affecting and softening the most obdurate Heart, and induce all those who have offended against the Laws, to return with the most humble Submission to their Duty; And whilst your Excellency shall in so tender a Manner conduct yourself towards the People, you will undoubtedly render yourself acceptable to his Majesty, whose paternal Care over all his Subjects is such, that he looks upon their Happiness as conducive to his own Honour, and that it is inseparably blended with his Interest.

As it is our Privilege, so we think it our Duty, to make the necessary Provision for the Payment of the Publick Debts, and the Support of the Government; We shall take what your Excellency hath said to us on that Head into our serious Consideration, and shall, as near as the present Circumstances of this Colony will admit, comply with his Majesty's Expectations; And in the doing of this, we shall always consider how much what passes for Money depreciates, should that ever be our unhappy Circumstance. At present we can with equal Truth and Pleasure acquaint your Excellency, That the Credit of our Paper Money is so well established by the several Laws that gave it Birth, that it is morally impossible that it should sink in Value. By these Laws effectual Care is taken that none shall be emitted but on Land Security, and that of double the Value at least; and the Title of the Lands carefully inspected by the Loan Officers appointed by Law in the several Counties to let out the Money. And as our Lands are daily rising in Worth, we cannot conceive it possible for any Fund to be of a more fixed and determinate Value; The Truth of which is happily confirmed to us by upwards of Twenty Years Experience.

When we are on the Bill for the Support of Govern-

and recommended this affair, to their serious Consideration : But as it is a very Busy season, of the year, they sat but a few Days and desired a Recess, and I hope, at their next coming together, we shall fall upon proper measures, to put an End, to those dangerous Practices.

I shall from Time to Time, keep your Lordships acquainted with all things that relate to his Majesty's Service : and have the Honour, to be, with much respect

My Lords

your Lordship's most Obedient

Burlington

and most humble servant

in New Jersey

J BELCHER

August 27th 1747.

Answer of the Rioters to the Publications of the Proprietors and Speech of Samuel Nevill.

From Papers of Ferdinand John Paris in the N. J. Hist. Soc. Library Vol. O.

An Answer to the Council of Proprietor's two Publications ; Sett forth at Perth-Amboy the 25th of March 1746.¹ and the 25th of March 1747. As also some Observations on Mr. Nevil's Speech to the House of Assembly, in Relation to a Petition presented to the House of Assembly, met at Trentown in the Province of New Jersey, in May, 1746.

Having seen several Declarations said to be set forth and Published by Order of the Council of Proprietors, reflecting on the Committee as Seducers, &c, We, conscious of our Innocency in that Respect, and Fidel

¹ See Volume II, page 207

ity, with Regard unto the Trust reposed in us by so great a Number of People, and Apprehensions we have conceived of the Weight of the Concern; take occasion to offer something, which (in our small Capacities) seems fit for Consideration, upon the Subject in controversy:

Hence, we submit to the World: Whether an Act, made for Vacating and Annulling Grants of Lands, and divesting the Owners of them, some Years after Purchases were made, and Grants obtained, of the Indians, be not unreasonable, and manifest Injustice to the Grantees? Such is the Case in Question, as we shall clearly manifest.

Our Predecessors (Inhabiting Newark, &c.) besides the great Hazards they run, the extream Hardships they underwent, and many Difficulties they met with, in coming into this Wilderness, amidst a Barberous People, Purchased, not of some Strolling Indians, or for some few Bottles of Rum, as is suggested by the Proprietors in their Publication, but of their Chiefs, at a dear Rate, and with a great Sum, for the then Times, as may appear by the Grant or Deed from the Natives, bearing Date July 11, 1667. The Particulars, to prevent further Reflections, we Insert, viz. 50 Double Hands of Powder; 1000 Bars of Lead; 20 Axes; 20 Coats; 10 Guns; 20 Pistols; 10 Pair of Breeches; 50 Knives; 20 Hoes; 850 Fathoms of Wampom; 2 Ancker's of Liquors, or something Equivalent; and 3 Trooper's Coats; besides a Remander, engaged to them by Bill.

Also, Another Indian Deed of Sale and Confirmation, to the Town of Newark, from the Owners of the Great Mountain, in Consideration of 2 Guns; 3 Coats; and 13 Kins of Rum, bearing Date the 13th of March, 1677-8. The former Purchase is said to be made, with and by the Advice and Consent of Philip Carterett. And the latter, before him, and further taken and acknowledged by him, Witnessed by James Bollin, his

Secretary, &c. Who could Question our just Right to the Soil; considering the due measures our Ancestors took to obtain it. They being in quest of a Settlement for themselves and their Associates in the lower Parts of the Country; the said Philip Carterett, the then Governour, sent for them, requesting (together with the then few Inhabitants at Elizabeth-Town,) that they would take Settlements, in these Parts, who, likeing the Scituation of Newark, he gave them a Grant or Lysence to Purchase : — as follows.

Province of New Jersey YOU Mr. Obediah Bruen, Mr. Samuel Ketchel, Micah Tomkins, John Brown, Robert Dennison, and Company, have Liberty to Purchase from the Indians, within this Government, what Quantity of Land you shall think Convenient, beginning by the Bay, thence Westwards, or in any other Place in this Province, &c. And for so doing this shall be your Warrant. Given under my Hand and Seal this Eleventh Day of July, Anno Dom. 1666.

Such a Lysence they had, without any Restriction, or Limmitation, as to Land or Time; whereupon, they made Purchases, at several Times, as before Specified. And this was before any of the Concessions, Rules or Acts made by the Proprietors, (which they say renders Men Sedicious and Criminal, who treat with the Indians about their Lands) were Extant

And thus Newark was founded, &c. But our Opponents, object &c. Your Grant (say they) is lost; and you can find no Record of it. Very True; and we suppose we might charge our loss of that, to some of the then Proprietors.* And we further suppose it will not be denied, That many of the Transactions of, and in, those early Days, in this Colony, (even untill some of the latter Days of Governor Carterett) are not to be found,

* Mr. Pierson of Newark being chosen & sent at the Request of the Governour to Treat with the Proprietors, at one of their Private Meetings at Elizabeth Town. Declared, it was there taken out of his Pocket

in the present Registry of this Province. But, however, a Grant or Lysence we had, as is Apparent; both by the Declarations of our Ancestors; the Concession of Brigadier Hunter, in a Patent Granted Newark in the Name of Queen ANNE. Where mention is made of the Lysence aforesaid, and the Bounds of Newark ascertained, according to the aforesaid Grants or Deeds. And also by a Copy of the same (supposed the Original by the Seal thereon) declared to be long since found among Governour Carterett's Papers, then in the Hands of Mr. Effingham Townley, and carefully Extracted.

Yea, and do not the Indian Grants or Deeds, themselves, imply and Include so much, bearing and carrying an undeniable Lisence, in the very Bowels of them.'

But, notwithstanding the good Right, and great Assurance, our Ancestors had, for their Lands, at the first. The then Proprietors soon framed a Scheme to beguile and insnare them.' They complained they were constrained to support the Government, themselves, without any help from them; and on that Consideration, moved them to take Patents of them (viz. the Proprietors) for the Lands they Possessed, in order to make their Yoke lighter, by paying them Quit Rents, &c. And proposed, that such of them as had undergone the Fatigues of first Planting or Settling, should have but a lite Tax laid on them, viz. Six Pence a Year for an Hundred Acres. And the others their Associates, &c. who had Lands should pay, Annually, an half Penny per Acre. And about the same Time Governour Carterett gave General and Public Notice; for all Persons to take Patents, for their Lands under the Yearly Rents of an half Penny per Acre; which,

Witnessed by the Advice & Consent of P. Carterett And before him taken and acknowledged

' At the ProXie Meeting above mentioned

if they refused he would grant Patents thereof unto any others, who would take them. Our Purchasers (unapprehensive of any Snake in the Grass) some of them supposing the consideration above Reasonable, through the Justice and Equity of the supporting Government.¹ Complied with that Motion, and took Patents, some at Six Pence per Hundred, and some at an half Penny per Acre.

But others again, knowing the just Right they had and the just Measures they had taken to obtain it; (not from any Regret against the Government or Support of it) refused to be at the Charge of Surveying and Patenting their own Land, on their Terms. So that much of the Purchased Land in Newark, as well as in other Places, was by Patent, granted unto such Persons who had no manner of Right in, or Claim unto the same by Purchase. And Whether such Procedures were not unjust, and unrighteous Dealing, to oblige Men to take Patents for their Lands or to be dispossessed of them, Let the World Judge. But our Antagonists again object, and say, the Lands in Question, never were Ours:

King Charles the Second gave them to the Duke of York, and thence, by divers mean Conveyances, they are handed down unto the present Proprietors.

We hope you'll give us leave to ask how he came by them, was it by Discovery, by Conquest, by Gift, or by Contract, was the Discovery made in his Day? Did not his Predecessor Grant to the People heretofore, Settling and Inhabiting New England, &c. Even all that which he (his Successor) is said to have given to the Duke of York, including all these North American Lands, even unto the South-Seas. Or, was it an uninhabited Land when discovered, as some have suggested.

Was it not even full of Inhabitants, how Numerous

¹ They have Declared they know not the Nature of Patents, &c.

have they been here since some of us can Remember. And can it be supposed they had no Right unto, or Charter Grant for, their Lands, Yes, Doubtless they had, from the Great and Absolute Proprietor of the Whole Universe, and which had stood Register'd in the best Record on Earth. But to pass this.

We would take leave a little to Remark and Consider of that Blind Position, as 'tis called, viz. That the Indians were once the Owners of the Soil, and our Conclusion thence, viz. That those who have Purchased, or got Deeds of, their Right, must also be Owners, now.

We declare ourselves to be of the same Mind still as before, and to hold to the Position aforesaid, how blind soever it may seem to others, untill we can have better and clearer Light and Sight, than we can obtain by the Coloured Arguments and Painted Eloquence of our Opponents.

And therefore we must still conclude, That to dispossess those His Majesties Liege Subjects who have honestly Purchased their Lands, and gotten True and Genuine Deeds of their Right and Property, must needs be unjust and unreasonable.

Even the Lords Commissioners for Trade and Plantations being Judges; as by a Memorial laid before them, Anno 1698. Appears, take an Extraction thence, &c.

'If they (viz. the Indians) had Possession of them, (viz. the Lands) then (with Submission) they had a Right to them, by Preoccupancy, by the Law of Nature; and by all other Laws a Right by Possession, against every one but he who could shew a better Right.'

'The Discovering and Possessing these Lands, might

Would they have People think this to have been a void and uninhabited Country, when discovered

'give the English a Right against any others but the
'Natives; but that which gave them a Right before
'others, not being the Natives, viz. Possession and
'Preoccupancy, gave the Natives a Right against
'them, untill the Natives, by free Agreement, should
'part with their Right. The Advantage any Nation
'hath over another, in Might & Power, in True Reli-
'gion, or in the Acts of Government, War or Improve-
'ments, or other Arts & Sciences, doth not (with
'humble Submission) give the Nation that has those
'Advantages, in ever so great a Degree, a Right to
'the Possessions of another People, be they ever so
'Weak and Unable to defend them, ever so Ignorant
'and Irreligious, ever so Salvage and Barbarous. Nor
'is it pretended that those Indians were in a State of
'War with England, for they have been Treated with
'as Friends, and the Granting Lisences by the Govern-
'ments to Purchase Lands of them, admits them, to
'have a Right to sell them; which 'tis not to be
'Doubted but they once had, and (with Submission)
'we cannot see how they have lost it, unless their
'being Weak and Unable to defend themselves, or
'unskilled in Religion, Policy and Arts, can alter Mat-
'ters of Right, upon the Principles of natural Justice.
'We know not what Right the Crown had to those
'Lands before Purchased of the Natives, but the Own-
'ers of such Lands by and under such Purchase do
'humbly insist and rely upon it, that by such Pur-
'chases they have a full Right and Property in the
'Lands so purchased: And we are informed, That it
'was formerly thought for the Interest of the Crown
'of England, that as much Land as could, should be
'Purchased from the Indians, and also, that all En-
'couragement was given to People to make such pur-
'chases, for that the Territories of the Crown of Eng-
'land are thereby enlarged.—Therefore the Vacating
'and Annulling of Indian Grants tends not only to the

obtained a Patent from His Majesty King William for the Land Surveyed, (without having made any Purchase of the Indians) and now Cock sure of their Lands, they brought over several Families to Possess, or Settle the Same: But this Land having been before Purchased of the Natives, by some of the Neighbouring Inhabitants of that Country, and in part Settled, they would not be frighted out of their Right; but, by Application to His Majesty, had their Indian Grant or Deed confirmed, and the aforesaid Patent revoked by himmself: (A Royal Fraud, surely, in our Proprietors Sense.)

Take one more Instance, from our Neighbouring Provinces of New York: In Governour Dongans Day and Time:

The Indian Natives, from some special Regard to one (of whom they had Doubtless received some Favours) made him a Grant of a considerable Tract of Land, lying upon or near Hudsons-River; this same Land it pleased the then Governour to Grant, by Patent, to another Person, who presuming to Settle and Improve it, was beat off and Dispossessed by the Indians, whereby said Patent was revoked, and the Right Settled upon the true Owner, the Grantee abovesaid.

And moreover, it seeme to us reasonable so to think and believe as abovesaid, because we find, by the Instructions of Sir George Carterett made on the 31st of July 1674, and given under his own Hand, and the Broad Seal of the Province, That no Land whatsoever shall be taken up but what shall be first Purchased from the Indians, which Instructions is upon the Publick Records of the Province of New Jersey and the Original Mr. Willocks had. Now, how the Proprietors Act in Concert with these Instructions the World may Judge. When they are seeking to dispossess Poor Men and enter into their Labours, are not these the Austere Lords, That would Reap where they have not

Scotia is thereby Granted, then Long-Island, then all the Land from Connecticut-River, to Delaware-River.

We had by a Copy of the Commission of Governour Nicholls Published it, as it was therein set forth.— Note, From the Duke's &c.

And we do not see why the several Colonies of the Massachusetts or Boston, and Rhode-Island, may not be as well included in that Grant, as New-Hampshire Government, the greatest Part of Connecticut, and all New-York, &c.

But be that Matter as it will. We believe (as we have heretofore Published) and submit it to any rational Apprehension, That the Right, Granted by King Charles, was of Governance, and not of Soil, unless those who had these Grants should Purchase the same of the Natives, and so make it their own. The Basis or Ground of our belief as aforesaid, is taken.

First, From the large and extensive Grants, made and given unto Governours in their Commissions for Rule and Government in and about those Times, as in the Instance of Nicholls, his Commission, &c. And was not Bellamont Stiled the Governour of New-England, New-York, New-Hampshire, &c. And what a Noise was there, in Lord Cornbury's Days, relating to Rights and Properties in Connecticut, &c. All which proved but an empty Sound, and Vanished away.

Moreover, Examples in sundry Matters of Fact, Shew this:

It is a thing known to many in this Land, what pretence of Right some of King James his Men had to the Lands lying to the Eastward of Boston, &c. who having gotten what they call a Propriety Right, went and Surveyed a great Tract of Land at or near Black-Point, so called, carried their Survey to England, and

* Those who pretended Right and Property in the Soil by Virtue of a Grant from James Duke of York, &c.

'Discouraging and Interruption of all Improvements
'of Lands, but even to the Subversion of Government,
'and reducing of Things to Disorder and Confusion.'

It seems Strange to us to find the Proprietors so called, speaking of this Country as Void and uninhabited, and of the Soil, sometimes, as the Right of the Crown, and sometimes, as the Right and Property of King Charles the Second, whence they say it was the Duke of York's, and from him, Sir George Carterett's, &c. As if Lands, Appropriate to the Crown of England, could be, by any King, so Alienated and Conveyed, that his Successors should thereby be divested of any Right or Property in the Premises, (a Royal Fraud surely) as Mr. Nevill says:

Besides one writes, of King Charles his Grant to the Duke, That it was all that Part of the Main Land of New-England, beginning at a certain Place called Saint Croix adjoining to New-Scotland in America, and from thence extending along the Sea-Coast unto a certain Place called Pemaquid, and so up the River thereof, to the furthest Head of the same as it tended Northward, and extending from thence to the River Kenebecque, and so upward by the shortest Course to the River Canada Northward, and also, all that Island or Islands commonly called by the Name or Names of Muttawacks or Long-Island, Scituate Lying & Being to the West of Cape-Cod, and the Narrowgansets, butting upon the Main Land between the two Rivers there called or known by the several Names of Connecticut and Hudsons-River, together also with the River called Hudsons-River, and the Land from the West of Connecticut, to the East Side of Delaware Bay, &c. Another writes thus,¹

A Tract of Land called Pemaquid bounding on Nova-

¹ Mr. Alexander, to Governor Montgomerie, in Chancery

² Mr. Nevill's Speech, Vth Post Boy of May 26, 1746

Sown, and Gather where they have not Strawed. Let such but Peruse the Sacred Records,' they may Read their Character and Doom both.

As to the Acts of 1683, and 1703, whence Purchasers are Stiled Seditious, Criminals, Traitors, and the like, and wherein His Majesty's Subjects are said to have been forbidden Treating with, or Purchasing of, the Heathen, &c.

As to the first of these we, nor even the Oldest Men among us (as they have Declared upon Oath) never knew or heard of any such Law, &c. And

As to the latter Act of 1703, (gotten, as 'tis said, by expelling several of the Members of the House) it cannot, in any Colour of Justice, Annul or Vacate any of the Purchases we are concerned in, or for, they being all made before said Act. Yet nevertheless when some of the Purchasers in compliance with said Act after the Publication thereof, (or as soon as they heard of it) went to the Proprietors so called, to Compound and Agree with them touching Purchase made before the passing said Act, They told them they had nothing to do in the Affair, and should come to no Agreement with them.

As touching the Purchases aforesaid we are concerned in, and for, they were made for valuable Considerations, Inserted in the several Deeds or Conveyances; and Signed by the Principal Sachims, and other Chiefs (known to be so) among the Indians. Particularly, the Sum for the Purchase over the Mountain as 'tis called, is 130 Pounds, besides a particular Tract lying near the River (called Cheapside) made over by Deed of Gift, duly Executed and Acknowledged by the Natives Owners, &c. Moreover, the consideration for Persiponie, so called, is no less than Three Hundred Pounds, Wampom Value.

Mr. Van Giesins, Four Hundred Ditto. Horse Neck likewise, and Whipponung about 140 Pound, tho' conveyed by Deed of Gift, (and a very remarkable one too) all duly Executed and Acknowledged.

And now, may we not submit it to the World, whether these several Grants were not Duely and Legally made?

But more of this afterwards.

We would here Observe, If the Legislative Powers can make such Acts as shall divest honest Purchasers of their Lands, and Arbitrarily take them, with the Improvements, away from the Right and Proper Owners, when they have dwelt thereon some 20, 30 or 40 Years; who would Settle, Build on, or Improve Lands, when his Property therein is so uncertain and Precarious? Surely, this is the most effectual Way to stop even all manner of Improvements of Lands, and not only so, but tends even to the Subversion and Dissolution of Government, and Reducting things into Disorder and Confusion.

Is it not a true Maxim, That Interest Governs the World?

The great Motive and Inducement to People to unite themselves into Publick Society, and to submit to Government, was, The Preservation and Protection of their Properties, and rendering them more certain and secure, then they could be Naturally and of themselves, without any Publick Regiment. And this is the great Motive and Encouragement to People to Contribute their Endeavours for the Support and Defence of that Government, whereby they are protected in their Properties.

It is a receiv'd Observation, That a settled Rule of Property, steadily Observed and impartially Applied, is the great Ligament of Government; and when Property is made uncertain and precarious, this Band is broken, and the Society in danger of running into Disorder and Confusion.

A very Learned and Worthy Author, Remarks,
That the Supream Power cannot take from any Man,
any part of his Property, without his own Consent;
for the Preservation of Property being the End of
Government; and that for which Men enter into
Society, it necessarily supposes & requires, That the
People should have Property, without which they
must be supposed to loose that by entering into Society,
which was the End for which they entered into it.
Too Gross an Absurdity, for any Man to own.

Men, therefore, in Society having Property, they
have such a Right therein and thereto that no Body
can have a Right to take it, or any part of it, from
them, without their own Consent, without this, they
have no Property at all. For I have truly no Right
or Property in that which another can by Right take
from me when he pleases, and against my Consent.

Hence it is a Mistake to think, That the Supream
or Legislative Power of any Common Wealth can do
what it will, and dispose of the Subjects Estates Arbitrary, or take any part of them, at pleasure.

And afterwards,

Government, into whatsoever Hand it is put, being
intrusted, with this Condition, and for this End,
That Men might have and secure their Properties, the
Prince or Senate (however it may have Power to
make Laws for the Regulating of Property, between
the Subjects, one among another, yet) can never have
a Power to take to themselves the Whole, or any
part of the Subjects Property, without their own
Consent, for this would be, in Effect, to leave them
no Property at all.

It has been always supposed that a just and honest
Purchase of, and from, those who had Right and
Property, would secure the same unto the Purchaser,

it always has done so, and been so Accounted of, save, in these Parts, and among such Creatures as the Proprietors.

William Nicholls, Esq; upon his Return from England (about 39 Years since) declared that an Indian Grant or Deed, gave Property to the Purchaser, in the Opinion of Chief Justice Holt, and moreover, That it was there supposed, That every Man that pretended to Propriety, had gotten his Right by Purchase from the Natives; without which Purchase, the People there would hiss at the Person pretending Property, &c.—How well may we expect to be Justified in Defence of our own Lands, dearly Bought with our own Money, and which never Cost the Proprietors one Farthing to Purchase them, of the Indians; who, before said Purchase, were the Possessors and Right Owners thereof.

And this holds true, with Relation unto the several Tracts above-mentioned, Purchased by Us and our Associates.

With what Colour can the Proprietors, so call'd, presume to invade the Rights and Possessions, and take the Improvements of Poor Men, we might give many Instances of such Oppressions.

How has many of the People in Newark, (a Place Built and Settled on so good a Basis and Foundation as hath been Described) been Plagued by Them or their Creatures (Persons Animated by them) what Resurveys have been made of Lands, even throughout their Bounds. And how many Thousand Pounds hath it Cost the Poor People for Lands Pillaged here and there, by them who never gave a Penny for it, viz.

Again, We Mark, what Mr. Nevill, (that Famous Expositor or Explainer of other Men's Words and Sentences) saith in the Post-Boy, particularly in the beginning of his Speech, and in Divers other Places;

* For the Purchase of the same unless to one of the Proprietors. &c

he speaks of the Soil of New-Jersey as the Right of the Crown, and calls it a bold Attempt to Question His Majesty's Right and Title to the Soil, &c

Contrary to the Proprietors Publication who say the Crown disclaims all Right to the Soil, and Acknowledges the General Proprietors to be the True Owners thereof, &c. We conceive that be understood of what they had Purchased of the Natives.

Mr. Nevill saith, concerning the Treatise, That it refers to the Concessions, &c. That the Purchase gave no Title, but the Title consisted in a Warrant, Survey, and Patent. &c. This seems to us such Rediculous Stuff, as is unworthy any Reply:

Can any Rational Man think our Predecessors (or indeed any Men in their Wits) would expose themselves to so great Fatigues and Costs to bring themselves and their Posterity into Bondage, by being the Tributaries and Tenants of, and to the Proprietors; how is it possible that the Grant, given by Governour Carterett to our Predecessors, should refer to the Concessions of the Proprietors, when, as in every Deed, there was no such Things as Concessions, Rules, and Laws, (of such Kinds especially) as they now speak of. At least wise, not then known to our Ancestors, neither did our Predecessors know or conceive of any such Thing as a Patent, 'till some considerable Time after they had, by the Governours Advice and Consent (as aforesaid) made their Purchase, and Settled themselves thereon.

And when they did yield to take Patents, &c. it was only in Compliance with the Proprietors Scheme for Support of Government.

And were our Predecessors or We, Criminals or Transgressors of the Law, by Purchasing when we did.

Why were not these Laws Prosecuted, and put in Execution upon Us, if it was Our Desert. Then, surely, they would have been known and understood;

in, and with Reference unto, their Extent and Relation. It looks Strange to us, That the Concessions, &c. they now tell us of, that laid such Restrictions upon the People, should be kept so Close, and Secret, for so many Years, as never to be known or heard of, by the Generality of the Inhabitants (of these Parts especially) untill even now, in these late Publications, surely, if they were made or given as a Light of, or for Directions, they should have been set up, and held forth, to open View, and not put under a Bushel, or Bed, &c:

And further. As touching that Absolute and Wicked Falshood as it's Termed, viz. Their threatening^d to bring a Resurvey, upon Lands Sold or Patented, &c.

Yea, more than so; many have actually done thus among us; Pieling and Pillaging, within the Bounds or Limits of Patents and Deeds, Made and Granted by the Proprietors themselves, and is their consenting unto such Surveys? And recommending of them, into the Registry, as Matters Just and Legal, any better? As also their Daily Countenancing and Encouraging such Practices.

Besides, it appears Plainly, by what Mr. Nevill Asserts, That they would have all the Lands Surveyed, which themselves have not Sold: (and we believe have long waited for an Opportunity to get an Act of Assembly for that Purpose,) that they may put off some more of their False-Wares, Sham-Titles, &c. Which, tho' they call it a Calumny or False Accusation. Yet wofull Experience, has plainly Shewn and Taught us to the Contrary.

They subjoin, This is only true of Doctor Arents, other Impostors, Pretenders, &c

Well, if they will Stand by this, and Yield them to

^d They or others under them have done more than barely to threaten

be Impostors, and only Pretenders to Propriety, who have so done, we can bring even a Cloud of Witnesses to prove this; from the several Conveyances both heretofore, and of late, Granted to many of our Neighbouring Inhabitants.

Their Deeds Run, -for such a Consideration, &c.— A Tract of Un-Appropriated Land, in this Province, or Eastern Division, &c.

NOTE, They pretend to a Right of Lands, but indeed not knowing where to Strike or Pitch upon any that they Dare fairly Challenge as their own Personal Right and Property, they Hire and Employ others to Inspect and Peep into others their Neighbours Rights, Properties, Possessions, &c. And now, if any Man will get a piece Surveyed, be it 10, 20 or 100, more or less Acres, they will, for his Money Sell him so much, Unlocated, Un-Appropriated Land as abovesaid, i. e. Land which is no Man's Property. For if it so fall out, That the Buyer has no Purchase Right thereunto; or it proves Land Sequestered by another, who will not Relinquish and give up his Right or Possessions unto him, (as Examples have shewn us) He, the said Buyer, must loose his Money. Yea, tho' he apply to the Grantor for Redress, he gets nothing of him but the Name of a Fool, for presuming to take Lands which another Man Claimed.

And further,

Touching the Instructions to the Governours, to see the Confirming of the Rights and Properties of the General Proprietors in the Right of Soil, &c. As is set forth by Mr. Nevill in the Post Boy aforesaid, we find it is added there, according to their respective Titles, &c. What are we to understand by Titles, is it that of Lords? Which they seem to Claim and Challenge to themselves, or is it some Warrant, Survey and Patent, &c. Or is it a Title to the Soil, obtained by Compact and Purchase, with and from the Native

Owners thereof; without which, we conceive, there never was any Just and Lawful Title to any Lands in this Colony, and we make no Question but His Majesty, or whoever gave such Instructions, believed (as others did) that the Title or Property came from Purchase.

For surely, if the Indian Right, or Purchase of the Natives, was so lightly Esteemed of, and set by, as is pretended,

It looks Strange to us, That so large Monies should be Disbursed, and given out, by Gentlemen at Home, in order to Purchase Lands for themselves of them.

Which, whether they were laid out for, and unto that End and Use, they know best, who have been concern'd in those Affairs.

We are upon the Consideration of Titles.

And we perceive the Gentlemen of the Law say, (and some have given it under their Hands, as their Opinion,) that a Grant, or Lisence to Purchase, together with a Purchase made, of the Indian Right, gives a good Title, unto the Land Purchased, and that the one is not Good and Valid, without the other.

Well, if so, our Predecessors had Grant or Lisence to make Purchasses, or, (for Argument Sake) suppose they had not, what Law was Transgressed in Purchasing, when as yet there was none Extant, to forbid the same: Or further, to put it to the Worst, on our Side, and the best, on our Opponent's Side, submit it to the World, they had Grant to Purchase, but made none. We have made a True, Fair, Honest Purchase, by plain Dealing, and many of us large Improvements, on the Premisses, both our Predecessors and Ourselves have Possessed hitherto, and paid all Dues, Duties, Rates, and Taxes for the same, for even more than 20, 30, or 40 Years. And now, we have spent our Time and Strength thereon, to get a poor Living for our Families, we must (for Sooth) be outed, by them who never had any Title, but only a Grant, or Liberty to

make themselves one, by Purchase: Oh Fy! Can they be so unjust. Pray what was the Reason they, or their Predecessors, did not Purchase, there was Land enough, and is even to this Day. You had, surely, as much Encouragement, and were under as great Advantages, to get the Indians Land, as any of us. Yea, greater than We, untill they Irritated and Stir'd them up against them, by going privately to Survey their Lands, without any Composition or Agreement made with them. As in divers Instances might be shewn, and particularly that of Horse-Neck so called, when they went to Survey the same, the Indians followed them and would have killed them, had they not P'rovidentially been prevented.

' But to be Brief:

We'll only just Hint, a little truly, at what is set forth under Colour, in the late Publication of our Opponents. Their Narrative, &c. And First, Touching the Paragraph, in Mr. Ogden's Letter, although Messrs. Low and Pierson have (as themselves allow) had Discourse, divers Times, with Capt. Nathaniel Johnson, Relating to the Affairs on Foot (who has always been even Remarkably urgent, to have Matters brought into the Law here) yet they know not of, nor can they Recollect or Remember, any such Offer, or Proposal, made or offered to them, either in the Name of, or, as a Message from Mr. Ogden. Such Things possibly has passed among much Discourse, and no Doubt may do so, without Remark, and no Wonder; if we Consider: When such like Proposals had been made by the Committee to Mr. Ogden long before, he could, of himself, make no Resolve thereupon; and, when again offered, unto them that could, and in whose Power it was, to yield a Compliance therewith,

* And as the first Planters set on the Lands at Whippoorung by the Proprietors The Indians would have driven them off, or burnt them out, had they not been letted by the people below: even them too who had bought the same Land of them

they obstinately and peremptorily Rejected and Refused it: No Wonder if, after all this, such a Thing might pass, by the Ear, or Vanish, as Cursory Thought. Some have blamed Mr. Ogden's Conduct, in procuring the Affidavit Inferred, &c. Alledging, that the several Persons should first have had Conference or Discourse together; or at least wise (they being both Mr. Johnson's Neighbours) should have been Notified, to be present, when said Affidavit was taken. And it is said Mr. Ogden, would in no wise Countenance any previous Conference, &c.

But look to the Matters of Fact in the Paragraph of the Letter, Compare it with the Attestation, Weigh and Consider the Circumstances, Disagreements, &c.

We hope the Gentleman had no ill Design in the Proposition, and so Consequently in the Declaration, &c. It is worthy to be Remarkt and Remembred, That the Words of Truth may be spoken, and yet the Declaration made, and thereby set forth, may be with a Lying Spirit.

We not only have Tacitly owned, but desire openly to Acknowledge, all the Truth and Justice we can find in our Opponents Writings, and whatsoever is Consonant therunto.

It seems as if the Council of Proprietors so called, imagined the Publick was Ignorant, That Mr. Low was an Assembly-man in this Province; when as he hath been, off and on, in that Station, since the Year 1740. And we never knew or heard, but that he has well Discharged the Trust Reposed in him therein; And no Doubt he had as good a Right to Vote for the sending Petition to the Governour in Council (it being agreeable to the Prayer or Desire Inserted) as any other Member of, or, in the House.

But to pass over these things.

There seems to be a Reflection on Mr. Camps Conduct, both with Relation to a Letter (Conveyed by his

Hand to Mr. Parker) of August 13th. and not Answering a Letter of Aug. 29th. sent him by said Parker.

As to the former, viz. the Letter and Names of one Hand Writing, &c. Mr. Camp it appears was not alone, but Accompanied with Lieutenant Joseph Day. Who both Declare, That, upon their entering into Perth-Amboy, about Ten of the Clock, in the Morning, they saw Mr. Parker, and spake with him, delivered him the Letter of one Hand as aforesaid, and also shewed him the Original, or first Draught, Signed by the Committee, which being somewhat Defaced, by some Ink spilt thereon, at the Time of Signing, was therefore Transcribed.

And further they Declare, Mr. Parker told them, if they would Stay but half an Hour, he would bring them a Return.*

And moreover, That they Stayed (waiting to receive an Answer) until Three of the Clock in the Afternoon, and having seen and spoken with Mr. Parker, no less than three several Times, while they Stayed, and received a like Reply as they did even just before their coming away, he told them he could not yet give them an Answer, and they seeing no prospect of gaining any further Intelligence, told him they could Stay no longer, and so came off.

And as to the other Letter, of which it is said no Answer was returned, &c. Mr. Camp Declares he had a Letter, in Answer, and went to Mr. Ogden with it, told him it was from the Committee to Mr. Parker, desiring him to take it and Convey it to him, as a Matter of Concern, Mr. Ogden refused taking it, and said it was best to send it down to Mr. Chetwoods, which was done accordingly.

The many Riots they complain of, Committed, as they say, by the Newark Rioters, is unknown to us,

* The Proposition and Publication falls in Fact, &c

as also the Threatnings of Clauson, neither can we hear of any one Person, belonging to Newark, that was Privy to any Design formed to pull down Mr. Neyill's House, as is set forth in the Narrative aforesaid.

The Proprietors seem to hold Forth and make Shew of Condescension, Relating to the Propositions of the Committee, touching Answering them in the Law, and repeatedly set Forth and Publish Mr. Ogden's Proposals in his Letter, (as if they were their own) and particularly his Message, sent them. And withal the Committees denial of Notice in that Matter, which indeed, so far as is before intimated, they will Attest unto.

But had it been indeed so, That Mr. Ogden had sent the Message, and it had been delivered accordingly, It was surely not for want of Opportunity to make the Offer himself, which had he done, we might have enquired into his Delegation in that Affair, and whether, or by what Means, we should be assured of a Liberty of Appeal Home, (in that particular Case) from a Tryal in the Common Law.

For who sees not that an Appeal to England, in any such Case as he proposed, cannot be had but by Concessions, &c. And besides, in the Paragraph aforesaid, there is no Account of Power invested in Mr. Ogden to make us such an Offer, (which a little before we knew he had not) Nor yet, any Assurance that we should have Grant of an Appeal Home, Had we then received the Message, and complied with the Motion, &c. But afterwards we, finding the aforesaid Paragraph in the Proprietors Publication, and being Credibly informed, that they had declared to many of the Members of the House of Representatives, that they were Hearty & Sincere in Complying with, and Standing by said Offer, which was the carrying the Matters in Dispute to England, by an Appeal from a

Court of Common Law, without any farther Process made here, as is Evident from and by Mr. Ogden's Letter, &c. We consented, and from what we heard from the aforesaid Members, touching the Proprietors Acquiescence and Complaisance, we Published our Resolves, &c. Hoping, and Expecting, to have a fair Tryal, in a Court of Law here, Relating to the Titles in Dispute and Ejectments (contrary to the Rules of Law and Justice) served on Men, who not only had fairly Purchased, but quietly Possessed their Lands for these 30 or 40 Years, but we finding a Scheme laid by the Council of Proprietors so called, for a Suit in Law, &c. Contrary to, or at least Diverse from what was before Published.

As may appear by comparing therewith, their Letter of June 30th. We conscious of our Trust and Duty, desiring to have Matters in Controversy brought to a Final Issue, resolving to comply with any reasonable Means and Measures for that Purpose: and withal Weighing and Considering our own Imbecillity, as touching Things Sublime, &c. and Inability to View with our Opponents in Political Affairs.

And supposing (in, and according to, our small Measures of understanding) our Compliance with the Scheme aforesaid, might, some Way or other, Insnare us, and make Way for, or unto, the Exclusion of the Merits of our Cause.

We therefore, set ourselves to Enquire, and seek for some Council Learned in the Law, and applying to Mr. Smith.

(A Gentleman of Ability and Fidelity, and who has heretofore undertaken the Vindication of a Right, by Purchase from the Natives, against the pretended Titles of our Antagonists.)

He consented to undertake for us, in Consideration he might be Released by them, the which we Requested.

But, Alas! He is a Man too Independent upon them, to be set at Liberty by them, hence (though (as we have heard) both Mr. Ogden & Mr. Parker declared, they thought it Reasonable we should have him) our Request was denied. And now (even contrary to Common Sense and Reason) it is set forth by our Opponents, as a fair Thing, both for our Acquiescence in, and precedure upon, what the Attorney or Attorneys Assigned us by the Court, shall please to do, Relating to our Cause. Which we conceive (we Complying with, and Proceeding according to their Scheme) is no other, or better in Effect, than Committing the whole Affair into their Hands, and leaving it to their own Decision and Determination.

By Order of the Committee,

[August, 1747.]

New-York: Printed and Sold by the Widow Catharine Zenger, at the Printing-Office in Stone-Street, 1747.

[The pamphlet from which the above was printed has the names of individuals, particular words and references, in italics, which it was thought unnecessary to introduce. Ed.]

Letter from James Alexander to David Ogden -referring to the rioters.

[From Original Draft among the Papers of James Alexander, Vol I, No 14, in Rutherford Collection.]

New York, Sep: 1st 1747

D^r Sir

[Extract.]

I hear that the rioters addressed the Gov^r at Elizabeth Town, but that their address not being signed by any body he did not think proper to receive it, or give an answer to it, but that they were to wait on him at

Elizabeth Town as he returns, with it Signed, and to Lay their Grievances before him—I suppose all their Grievances are contained in the PostBoy of Feb^r 17th 1745 6, in their two Petitions to the Assembly, and in their Answer printed last Month to the Proprietors Publications, and if so, I think we are fully enabled to answer them, and to Show the pretended Grievances are Chiefly Either things false in fact, or things Just reasonable and Lawfull—

I suppose Parson Taylor is the Composer of all their Papers, I should be very Glad that Sufficient Evidence were Gott of it. I should also be Glad to hear what passes at their next waiting on the Governour

I am Your Most humble Servant

JA: ALEXANDER

To M^r David Ogden

Letter from Governor Belcher to Rev^d M^r Bradbury.

[From a Copy among the Belcher Papers, in Library of N. J. Hist. Society.]

Burlington, New Jersey, Sep^r. 16 1747

My Worthy Friend

The great satisfaction I enjoyed under your Ministry at London for 3 years and the Pleasure of your Conversation claim my most grateful Acknowledgements which this Conveys in much Truth and sincerity and at same time the Account of my safe Arrival to the Government where the King has appointed me after a tedious passage of near 10 weeks in the Scarborough man of war -I humbly thank Almighty God my great and kind Preserver from a variety of dangers in the Voyage—and that I have been received by the good People committed to my care with all possible appearance of Respect and Satisfaction and I hope it will be my care to continue it by endeavouring in all laudable ways to render them an Easy happy People who I find unlearn'd and unpolite—and am therefore putting for-

ward the building of a College in this Province for the Instruction of the youth in the Principles of true Religion and good Literature—and I have a good Prospect of bringing it to pass.

Dear S^r If you could ever put it in my power to rend^r you any acceptable service in this remote Part of the Kings Dominions it would give me a sensible pleasure.

I wish Mr Winter would be so good by your Leave to Transcribe a sermon which I heard you preach I think in Nov^r last and in it making out a New Form of the Lords Prayer. I pray you to make My best Compliments acceptable To Madam Bradbury M^r Winter & Lady To your Young Lady & Master Tomy M^r Pitt and Lady

That you may live to an Extended old age with Health and Ease and with the wonted lively use of all your good Powers to beat down the Strong holds of sin & Satan and to Inlarge the Kindgom of your Lord and Master who is gone before to Prepare a place for you among the Innumerable Mansions in his Fathers house where (being faithfull to Death) you will receive a Crown of Life which God the Righteous Judge shall give you in that day—And to all those who Love his appearing—This I say is and shall be the prayer of

Rever^d S^r Your Hearty Friend & Servant,

J. BELCHER.

*Letter from Governor Belcher to Governor Clinton, of
New York.*

[From a Copy among the Belcher Papers in Library of N. J. Hist. Society.]

Burlington (New Jersey) Sept 17 1747

S^r

This waits on your Excellency wth my hearty thanks for the great Civility I receiv'd from you and from your Lady in the short Tour I made to N. York where

I could have past more time very agreeably in your good Company and in the polite Entertainment of your whole Family But that the Kings service urg'd my Return into this Province where I shall with much pleasure advise and Concert with you in all things that may advance His Majestys Honour & Interest and at same time be glad it might on any Occasion fall in my Power to render you any particular service.

I am heartily sorry to see the great trouble your Excellency has with your Council and with the Assembly. I wish to God there could be some way found out to Conciliate Matters otherwise the Consequences to the Kings Province and to his good People must be fatal and Ruinous you will please S^r to forgive this Excursion which proceeds from my hearty wishes for your Excell^y Ease and Quiet as well as for that of your People.—I have lately received an Account from Philadelphia of two Privateer sloops lying off of the Capes of Delaware w^h have taken two Pilot Boats and 2 Ships and they may Stretch along to the Hook and Elsewhere and do a great deal of Mischief and this I have mentioned in a Letter to the Lords of the Admiralty to go by Capt Jeffries that they may see how Naked and Expos'd these Coasts are to the Insults and depredations of a few despicable Fellows and that the British Trade to these parts may be ruin'd for want of a Ship or two on the N. York station w^h has been alwayes allow'd (till now) in time of warr. I therefore hope your Excellency will represent this Matter in its Proper Light to their Lordships by the Scarboro'. May all yours and your Ladys wishes take place just as you would have them!

With my Compliments to Capt Clinton and to the young Lady I am Truly Honb^l S^r

Your Excellencys Friend

and Most Obedient Servant

Gouverneur Clinton.

J. BELCHER

*Letter from Governor Belcher to the Committee of the
West Jersey Society.*

From a Copy among the Belcher Papers in Library of N. J. Hist. Society.

Burlington, New Jersey, Sept 18. 1747.

Gentlemen

I believe I own'd the Receipt of yours of 29th May—the 4 June following from Portsm^o and I have now the pleasure to acquaint you of my Arrival in this Province about 6 weeks agoe * * * I have again read over the State of your affairs here as you have Laid it before Me. My Son in Law Mr Lyde has been to make me a Visit but does not incline to remove from N England hither—so will not be Capable of doing you any Service. I gave him your Letter which he will answer from Boston. As to Coll Lewis Morris Eldest son and Executor to his Late Father I am told he is a Gentleman of good sense and of substance, and so far as he may Injoye any Estate of his deceased Father must doubtless be accountable to such as have any Demands—but as he Lives in the Province of N York he is out of my District. Your Agent Mr Haynes bears the Character of an honest capable substantial Gentleman and lives near Coll Morris—and I should think the most proper person to adjust all matters with Him so you will please to Excuse me from Medling in any private affairs—but if I can be of Service to you by Vertue of my Station you may assuredly depend on all my power weight and Influence for your obtaining Justice on all Occasions.

I suppose you have long since heard of the many Riots comitted in this Province for 2 or 3 years past by a Number of Disorderly Persons disseizing those that are Settled in Right of the Proprietors and settling themselves on such Lands these Rioters are now

grown Numerous and got to a great height of Audacity bidding Defiance to the Kings Authority and to all the Laws of the Country, and if these be not soon suppress you will have no Occasion to take any great Care about your Estates in this Province the Assembly whereof is to meet in November when I shall warmly recom'end this Extraordinary affair to their Serious Consideration and do Every other thing in my power to put an End to such Vile Practices.

I find the People of this Province are in a poor Situation for Educating their Children. I am therefore promoting the building of a College for the Instruction of youth— This affair was in agitation before my Arrival—and much contested between the Gentlemen of the Eastern & those of the Western Division where it should be placed, and I have got them to agree to have it built at Prince Town in the Western division being (I apprehend) nearest the Centre of the Province and will add Value to all Lands that Lye any thing near it nor can any thing in my Opinion more promote the Interest of the Proprietors as well as that of the Province and People—I am with much Respect
Gentlemen

Your Friend and most Obedient Servant

J. BELCHER.

The Committee of the West New Jersey Society.

*Letter from Governor Belcher to M^r Cradock—about
private matters.*

(From a Copy among the Belcher Papers in Library of N. J. Hist. Society.)

Burlington, New Jersey, Sept 27, 1747.

My most worthy Uncle Cradock

* * * * *

I am Come to a fine Climate and to a Plentiful Country but to a Government of no Great Profit to a

Governour— However as my Candle must soon sink into its Socket I shall Indeavour to make my Self Easy.

I have taken a house in this Little City standing on the Banks of the fine River Delaware—where from my Bed Chamber I have a prospect for 10 miles up and down the River I have a pretty Garden a good Orchard and about 70 Acres of Choice Land which will give me many Necessaries for my Family as well as Grass—Hay—and Corn for Horses—Cows—Poultry &c. I have made a Short Visit to New York and another to Philadelphia which are pretty Little Cities for North America especially the latter and to which I shall every now and then make an Excursion when Tired with my Library to find some Agreeable Conversation, and as I keep 4 good Trotters and the Road pleasant but 20 miles Riding may give the Blood a better Circulation. * * *

Your Obedient Nephew
and most humble servant

Mr Cradock

J. BELCHER.

*Letter from Governor Belcher to Richard Partridge—
about private affairs.*

[From a Copy among the Belcher Papers in Library of N. J. Hist. Society.]

Burlington New Jersey Sept 28 1747

Brother Partridge [Extract.]

* * * I have made a short visit to Philadelphia and have Talkt at Large with Mr Kinsey in your favour He is Chief Justice of the Province and Speaker of the Assembly - A Wise, honest man and of great Weight in Pensilvania as also in this Province and is

your very good Friend—Paris' dogs him with Letters to get you out and to Jump into the saddle himself but he answers none of his Letters—he Express some Concern that you wrote to others (but not to him one word) of my Appointm^t to the Government of this Province. I desire you to write him Constantly and send him the public Papers—I say you Can't do too much to Keep him in Steady in your Interest and M^r Rich^d Smith Junior is very hearty in your Interest and worthy of all the Respect you can Show him— I am Sure I am faithfull in your service in all I have said to you of these Worthy *Gentlemen*.

I thank you for what you write of the Publick affairs and for the Print and pray you to be Constant in Transmitting me those things.

I thank you for the Copies of what Relates to the Charge of this Province in raising men for an Expedition to Canada which I hope to make good use of for their service and for yours when the Assembly meets (17 of Nov^r) and will do my part in Passing the £40000 Bill and will take care you may have full Instructions from the Assembly that there may be no Quibbling at a Certain Board about it. But in all these things you must Indeavour after the grace of Patience for they'l hardly get to your hands till towards spring I say again I shall do all I can to Ease and help you For I am

Your Sincere Friend & Loving Brother

J. BELCHER.

Letter from Governor Belcher to Mr. Secretary Willard - about private affairs.

From a Copy among the Belcher Papers in Library of N. J. Hist. Society.

[Extracts.]

Burlington Oct 2 1747

My Worthy Nephew

* * * * * We had a very Leaky Ship from Boston to Ireland - warr with Spain, and declared with France 4 days before we made the Land—we got well into Kinsale from whence I went by Land to Dublin (175 miles) and on the Road met my Dear Son after (an absence of 13 years) in good health and in good Reputation in his Profession.

I spent 3 weeks with him and was there treat' by the Lords Justices and all persons of Distinction with great respect and from thence I went over in the Kings-Yacht (45 Leagues) to Chester and from thence by Land 194 miles to Lond^o where I was kindly received by a great Number of my Friends and in a few days I paid my Duty to the King's Ministers who gave me Joye upon my safe Arrival and in a few days more I waited on them again and told them my Case was very Severe to be remov'd from the Government of two of the King's Provinces without any Complaint being made out against me that my Character and honour would be Call'd in Question by the World—that I was Come to Vindicate my self and to have Justice done Me. The Answer was Mr Belcher No Charge or Imputation lyes against you, you need not therefore give yourself or us any Trouble of the Nature you mention It has been the Kings Pleasure to remove you & you must submit as we all must in such Cases, and when there may be a proper Opportunity we shall not forget to serve you—so I determin'd to

wait for a Vacancy and this Province was the first that happen'd, and after taking out my Commissions and Instructions I waited for the Opportunity of a man of warr and had orders from the Lords of the Admiralty to Capt Ereskine of the Warwick 60 guns at Spithead to take me my servants and Baggage aboard and Carry me to Cape Breton and orders to Admiral Knowles there to Give me a Ship to my Government. But when I got to Portsm^r S^r Peter said Governour I expect a ship to go to N. York for my wife and Family and I would have you wait,—the next day came down an order for the Scarbor^r Capt Jeffries with whom I came and was very happy in a Sober Com^r-ander who during the voyage made me in a manner Captain of the Ship, we had a tedious passage, but, praise be to Almighty God I got safe at Last and after publishing my Commissions I met the General Assembly and after a short session of dayes at their own desire I adjourn'd them to 17 prox^{mo} tho they made me no grant.

* * * * *

This is a Countrey beautified with fine Lands and Rivers nor have I yet seen any thing on this Continent Equal to it. The People are generally sober and have made great Improvements for so young a Province but I am sorry you have been misinformed as to Ministers and serious Christians—For I have not observ'd as yet where I have been any great Taste or Spirit for Religion. In this Town are only an Episcopal Congregation and two of Quakers to some of which I must go on Lords dayes or stay at home and can you believe it? Meat and all things are publickly Sold here on the Lords day and this I am Indeavoring to Reform. Philadelp^a is but 20 miles from hence and a fine Road and as I keep my Coach & 4 I propose to go often thither on Saturdays and spend the Lords day with my Dear & Worthy Friend Mr Tennant, whom I heard about 10 days ago. * * * *

I am very sensible what Perplexity and Imbarrasm^{ts} surround my dear Native Countrey Of w^{ch} I may say as once Queen Mary said of Calais—if they imbowel me after my Death they will find New England written on my heart. Oh that Peace might be within her walls & Prosperity within her Palaces. I am in hopes the Riots & Disorders that have too long subsisted in this Province will be at an End For I have had many of the Heads or Principals with me in a very submissive manner. I rejoyce with you and my Countrey in the better degree of Health with which God has favoured you for sometime past—may he go on to revive and Confirm it—and with what Gratitude to Heaven ought I to mention It that I have not had an hours pain or Sickness since I saw you.

* * * * *

Your sincere friend & loving uncle

J. BELCHER

Mr Secretary Willard

By Mr Allen

*Congratulatory Address to Governor Belcher from a
Committee of the Disaffected—on his Arrival in
the Province.*

[From a Copy among the Papers of James Alexander, Vol 1, No. 37. in the Rutherford Collection.]

To his Excellency Jonathan Belcher Esq^r Cap-
tain General and Commander in Chief in
and over his Majes^{ty} Province of Nova
Casarea or New Jersey in America and
Vice Admiral of the Same &c

May it please your Excellency

WEE THE COMMITTEES Elected to Represent his Maj^{ty}
poor oppressed (yett Loyall) Subjects Inhabiting in

Several Counties within this Colony, humbly Crave Leave to take and Bear our part in presenting our Duty to your Excellency, by Congratulating your Excellency's Safe arrival and Accession into your Government, with our Gratulations to heaven and the Best of Kings for what we Look upon a Distinguishing mark both of the Divine favour and his Majesties Royall Goodness to us Viz^t the Sending your Excellency to preside among us and over us, trusting under your wise and prudent administrations there may be a Retraction in the province Relating to the frequent Ruptures and disorders both in persons and things which have appeared therein: the which we Regretting, pray that the Lord of Hosts, whose Blessing is on his people, and who will arise for the help and Succour of the Oppressed poor and Crushed needy ones May bring Good out of all this Evill: Make your Excellency a Blessed and happy Instrument to promote and Establish Good order quietness and peace in all our Borders: Crown your Excellency in all your Consolar affairs here with the Blessings of his Goodness, and hereafter with the Crown of his Righteousness. Amen.

JOHN LOW	EDMOND BAINBRIDGE
NATHANIEL WHEELER	JOHN ANDERSON
JOHN CONDUCT	DAVID BRIERLY
NATHANIEL CAMP	DOLLINGS HEGEMAN
JONATHAN PEIRSON	SIMEON WYCKOFF
SAMUEL HARRISON	CORNELIUS DEHART
SAMUEL BAWLDWIN	ROBERT SCARMERHORSE

ROBERT SHIELDS

*Letter from Governor Belcher to Colonel Winslow
about Rioters.*

[From a Copy among the Belcher Papers in the Library of N. J. Hist. Society.]

Coll. Winslow

Burlington Oct 3 1747

S^r

[Extract.]

I am oblig'd for your Concern about the Late Riots and disorders here on the Score of the title of Land which have subsisted since my Arrival and a Number (Call'd a Com'ittee) of those people have been with me y^e week with a very Submissive Address in answer I told them that It was my Duty and my peremptory Resolution to support the Kings Authority and that offenders and breakers of the publick peace would bring themselves under the Lash of the Law—and withall I spoke kindly and assured them they should have my Countenance and protection in all things consistent with Reason and Justice—soft words turn away wrath but the wringing of the Nose brings forth Blood—and I think this sore is at Present in a Likely way to be heal'd.— As to putting Strangers into Office I have not brought one person with me for that purpose. The suffering in my private fortune in the Government I Lately Injoy'd was from the unkind offices of some Persons who had power enough to Influence the Assemblies not to keep up the Value of my Salary and in Conformity to their Votes and to the Addresses of the several Assemblies to the King from time to time the Province justly owes me at this day a Large Arrearage.

I have seen several of the Principal Towns of this Government and have not seen one that has in it 200

dwelling houses—and after weighing all things I have pitcht upon this City (as call'd tho' but a village of 170 houses) for the place of my residence. * * *

Yours & Mrs Winslows Friend & ready Servant

J. BELCHER.

Letter from Governor Belcher to Mr. Justice Budd, of Morris County—Acknowledging Letter of Congratulation.

Burlington Oct 12. 1747

Mr Justice Budd and the Rest of the Judges
and Justices of Morris County.

Gentlemen

I duly received your kind Congratulations of my Arrival to this Government.

* * * * *

I Take very well the Information you give me about Tenons in Office and I hope my Countenance will be allways towards such as Fear God and hate Covetousness. I thank Mr Justice Budd for his good and wholesom charge to the grand Jury and Expect you will all in your Turns act up to your Oaths in doing Every thing in your power for the support of the Kings Authority and for enforcing the Salutary Laws of the Province against all Offenders in which you will find my Chearfull Approbation and Protection.

That health honour and every other Blessing may attend you in your Publick & private Stations is the sincere desire of Gentlemen

Your Friend and Servant

J. BELCHER.

Message of Governor Belcher to the Council and Assembly of New Jersey.

[From a Copy among the Belcher Papers in the Library of the N. J. Hist. Society.]

Gentlemen of the Council & of the General Assembly

I met you soon after my Arrival agreeable to an Adjournm^t made by Mr President Reading at which Time I found you were not Inclined to Enter upon Business it being so busy a Season in your Domestic affairs. Those I hope are well over that you may proceed with Ease and Alacrity in the Affairs of the Province in which hardly any thing has been done by the Legislature for some years past and they therefore now demand your diligent and closest Attention.

Gentlemen of the Assembly

I have Lately rec'd a Letter from Governour Shirley and Governour Knowles wherein they write his Majesty had laid aside the late intended Expedition against Canada for the Present and they also send me an Extract of a Letter from his Grace the Duke of Newcastle to Governour Shirley a Paragraph where of the Secretary shall give you and in which you will find It is Expected you make Provision for the present payment of the Men rais'd in this Province to be reimburs'd when this matter shall be provided for by the Parliament of Great Britain—and as this Expedition was intended principally for the better protection and Defence of His Majestys North American Colonies—the King more reasonably hopes for your Compliance herewth and which must recom'end you to his Majestys Grace & favour and I desire you will give this thing a speedy Consideration because Orders have been gone some days since to Albany by the Col^l of the Regiment

rais'd in this Province for the Dismissing of the Officers and Men. Gov^r Shirley and Gov^r Knowles have also wrote me for an Acc^t of the Clothing, Arms &c supply'd by this Government to His Majestys Troops rais'd in this Province upon which I directed the Commissioners imploy'd in that buisness to Come hither and adjust that Account which is accordingly done and sent to those Gentlemen to be by them transmitted to his Grace the Duke of Newcastle in order to be Laid before the Parliament of Great Britain for a Reimbursement.

Gentlemen of the Council and of the General Assembly

Since our Last meeting I have received sundry Complaints from Numbers of persons who say they are unjustly disturbed in the Possession of their Lands and in Answer to the Petitioners or Complamants I have ordered the Secretary to lay their papers before you that you may be the better able to Judge how far the Controversies they mention may properly Lye before the Legislature and this affair I am afraid you will find attended with Intricacys and difficultys. Before the last Adjournment of this Court I find by the Minutes of the Council & of the Assembly there were a Number of Gentlemen from each house appointed to Examine into the matter of the Riots and disorders comitted in some parts of the province to which affair I suppose these papers may be related and since the Com'ttee then appointed have not yet acted I wish both houses would so far reconsider the Matter as to make out a Com'ttee of Gentlemen the most disinterested and so Impartial in this difficult affair and then to set upon it de die in diem till they shall be able to Report what may be proper to be done by the Legislature to bring an End to the Disorders & Confusions that have so long Subsisted in the Province and if the Laws are yet deficient that they may be Strengthened

the better to bring to Condign Punishment the Authors and Abettors of those Outrages that have been attempted on the Lives Liberties and properties of their Fellow Subjects to the dishonour of God in high Contempt of the Kings Authority and of the good and wholesome Laws of this Province—as it well becomes Rulers to encourage and support them that do well so it is their Indispensable duty to be a Terrour to Evil Doers. I am perswaded Gentlemen that to keep this Matter at a Distance or as the Trite saying is to put far of the Evil day cannot Consist with the Ends of good Government. No! Assaults and Batteries breaking open the Kings Goals & delivering Prisoners there Committed by Vertue of the Laws Must soon bring things to this Question whether his Majestys Authority shall be supported in his Province of New Jersey or whether a Number of Rioters shall take the Government into their own hands—if any Persons think themselves hardly Treated as to any Lands they possess their recourse must be to the Laws and having gone thro' the whole Course of the Law here and yet unsatisfyed they have a dernier to his Majesty In Council where they will find freedom of Access their Case heard with great Patience and finally closed according to the Strictest rules of Reason, Law and Equity. For the King always delights in the happiness of his subjects and Esteems Righteousness the greatest Stability of his Throne.

I am Gentlemen in the next place to acquaint you that I have lately rec'd from one M^r Hopkins a Magistrate in Rhode Island Government a Number of Counterfeited Bills of this Province which M^r Secretary shall deliver you we are oblig'd to this Gentleman for his good care and from this and other Informations of the Like kind I have reason to believe there is a Knot or Combination of Villainous Persons that are making a trade of forging the bills of the Province

and this matter well deserves your Speedy Care and Strict inquiry as it strikes at the very Vitals of your Currency and so must Nearly affect not onely Your Commerce but your other Estates also.

The Hon^{ble} Mr Palmer President of the Province of Pensylvania has lately Complained to me of the Necessity of putting the Pilots of Delaware River under a better Regulation for the greater safety and Protection of the Trade—his Letter and the papers referring thereto shall be Laid before you and when we consider how greatly Our Neighbours and we have suffer'd by Informations the Enemy have got from our own Pitots I hope it may produce from us some Wholesome Law to put an End to such Villanous practices for the future and to w^{ch} no Assistance shall be wanting on my part.

Gentlemen of the General Assembly

Altho' I mention'd to you before the Last adjournment the Necessary Care incumbent on you for the paym^t of the Publick Debts & for the support of the Government yet as you seem'd very desirous to be quickly dismiss to your private affairs. Nothing was done in that material affair I have therefore the more Reason to Expect you will Early and in Earnest set yourselves about it for as Money is Call'd the Sinews of Warr so it may in a great Measure be Called the Strength of Government and Since it is in our power it is a Duty we owe to our People to prevent the Crye of Injustice or Oppression by paying the Officers of the Governm^t and all others their Just Dues without unreasonable delays.

Gentlemen of the Council & of the General Assembly

The things I have now laid before you are what Occur to me at present for advancing his Majestys honour & Service and for promoting the Welfare and Prosperity of the People under my Care and as any

thing further necessary to the Publick good may offer I shall Communicate it to you and shall with great pleasure receive from you such things as you shall Judge may Contribute to the same good Ends—as I have no Estate or Property in the Province I do assure you I have no Sinister or private Views to pursue But my great Care and Study shall be to bring New Jersey into a more flourishing State, and that this may not be the Least among the Kings Provinces & to strengthen my heart and hands in this Purpose I shall always be glad of your Assistance and what will make my Administration Easy and Pleasant to my Self & happy for the Province will be to find a Steady harmony subsist* between the two houses so shall we as one Man build up the Publick Weal of this People.

J. BELCHER.

Burlington Nov 19. 1747.

Petition to Governor Belcher, signed by Nathaniel Wheeler, Jonathan Pierson and others—relative to their implied connection with riots, &c.

(From a Copy among James Alexander Papers Vol. 1, No. 31, in the Rutherford Collection.)

TO HIS EXCELLENCY JONATHAN BELCHER Esq^r
 Captain General and Commander in Chief
 in and over His Majesties Colony of Nova
 Casarea or New Jersey in America and
 Vice Admiral &c.

May it please your Excellency

Wee his Majesties most Dutiful and Loyall Subjects
 Inhabiting in Several the Counties of this Province,
 Humbly Crave Leave to Lay before your Excellency,
 That whereas, the hearts of Men Naturally are filled

with perverse and Rebellious principles. Tending to the Subversion of all order and Reducing soon the World to a Chaos of Confusion. The Alwise God hath ordained orders of Superiority and Inferiority among men, and requires an honour to be paid accordingly; among which Government is Established; To prevent and Cure the disorders which are apt to arise and break forth in and among the Societys of men; To promote Civil peace and prosperity among a people; To Suppress Impiety; Nourish Religion &c. Unto which End there are to be Rulers; and Such as are to be Ruled by them. And as Your Excellency hath had among us the Name and Character of a Good Ruler; with all thankfullness we Accept it as a Mark of his Majesties Royal favour to us, in Sending your Excellency to preside among, and over us; for Whose accession, we humbly offer our Congratulations; Trusting God is favouring us with Such a Blessing Viz' One acquainted with the Rules of Righteousness; and who will act in Concert therewith in all administrations Relating to Causes, without respect of persons; A Student in Gods Law and who will Consult a Good Conscience, and what may be pleasing to God, in Making & Establishing Laws, (being far from framing Mischief thereby, as too many do,) and who in Executing the Laws of Men will not give Judgement for Such as Cross the Commandments of God; One who Can never take Comfort in the Misery of the Subjects, but Contrary wise; Eyeing them as Children, and accordingly Endeavouring they may have and Lead their lives in Quietness and peace; and who will (to this End) See to it, that Men Enjoy their Rights, Liberties and properties without oppression or Mollestation; that they may live without fear of being borne down by their more potent Neighbours; Secured against Violence and Righted under all the wrongs, Injurious usage and ill treatment they meet withall. When Rulers are Op-

pressors (wofull Experience Shews) they who are Influenced by them, or live dependent on them, will add to their Yoke and Grievance; Yea Every one who will take License to do So to his Neighbour upon any advantage. When persons are put into places of trust and power, Merely through favour and friendship (without Regard had to their qualifications and fitness for such offices) Or that they may have a way to Support themselves by the Government, it is a Bad omen. So when people are Divided Into factions, wise and Good Men are Rejected and not thought worthy to be made use of; Because they favour not the ways of Such as bear Sway; and Such as are hotly Zealous for their Designs, are Esteemed meetly Qualified, and to be of all others the most worthy. How many are the Mischiefs and Miseries Such Male administrations do necessarily Expose unto; and what an heavy, Yea, Intolerable Burthen doth Such a people (So ruled) Lie and Groan under petitions Sent in to the house of Representatives &c: Denoting the Grounds of that Exasperation which has been in many parts of the Colony; Occasioning the Late Stirs and Tumults among us; which disorders we Regretting do assuer your Excellency, that in whatsoever Congress! any of us have appeared, it hath been without any malevolence to Government; and from our hearts we detest that Epethete Levelled at us, which we find in a Message Sent to the house aforesaid of May the Sixth Inserted page 40, Traducing us as attempting to throw off his Majesties Authority and Dependence on the British throne &c: We declare we have acted only (as we thought our Duty) in Defence of our own, and poor (yett we believe honest) Neighbours Rights, Liberties and properties who together with Many both their and our families (by what we Call unjust Molestation and even Virulent Oppression) were like to Suffer Ruin. We humbly take Leave to hope and pray your Excel-

lency may be the Blessed and happy Instrument, under God and our King for the Repairing of our Breaches and Restoring of our paths to dwell and walk in, that Righteousness and Equity may be done unto, and for men; And that Iniquity which defiles the Land, and pulls down wrath, may be purged away; with whatsoever tends to work the Calamity and woe of your people; that the principles of Justice may be maintained against any and all Sinister Respects; and not persons, but things Sway in Administrations that our foundations may Stand and not be distroyed by Suffering our adversaries & diometrical Oponents (Viz' Proprietors, or Such as Claim our Lands and Livings) to Sitt as Judges in and of our Cause; or by obscuring Such Cases (in Litigious matters Especially) as are plain and Clear; and Neglecting to Search out those that are Dubious; and to Conclude, we Earnestly Renew our Requests, and begg that way may be made for our Relief and Reddition in and under the pressing wrongs and Injuries we have Recieved (a particular act whereof besides what is herewith Emittted we are Ready to offer and Support the Same (Complaints) (when thereunto Called) and prevent the Like for the future; and that all process against any of us, Relating to our Liberties and properties, may have a Cessation (at Least) untill Such time as Matters in Debate may have a final Issue here; or his Majesties pleasure May and Shall be known Concerning them; and your Petitioners, as in Duty Bound, Shall ever pray,

NATHANIEL WHEELER JOSATHAN PIERSON

JOHN CONDUCT NATHANIEL CAMP

SAMUEL HARRISON SAMUEL BAWLDWIN

with many Seperate Sheets of names Annexed

*Letter from Governor Belcher to Richard Partridge.**(From a Copy among the Belcher Papers in the Library of the New Jersey Historical Society.)*

Burlington (N. J.) Nov. 19 1747.

Brother Partridge

* * * * *

Pray assist me if you can about a Leave to go to see my Children at Boston and if you could get thro' the Petition about my Arrears I have Reason to think I may recover something Considerable, and it will In-able me to do the faster for you.

The Assembly met here the 17th Inst. and as they proceed you shall be advis'd—you may depend I will within and without doors do all I can for your service—altho' I have been Arriv'd above 3 moneths and been living at a Continual Expence yet they have hitherto made a Camelion of me—not having given me one Farthing what they will do before they rise I am not able to guess—send me the public prints Constantly. * * *

I alwayes am Your Lov^d Brother

J. BELCHER.

*Letter from Governor Belcher to Mr. O'iver, of Boston.**(From a Copy among the Belcher Papers in the Library of the New Jersey Historical Society.)*

Burlington, Nov. 26, 1747.

Sr

[Extract.]

* * * * *

As to the affair of Crown Point many persons of the best thought here are of Opinion that its hardly worth the Attempt—and as they have 40 Guns in it

with a good Number of Men it would be a difficult Enterprize and perhaps Miscarry and on the other hand they say should It succeed and not be kept to what purpose would the Affair be but to that of a fruitless Expence—again it is said the Matter does not Originate from home but from a Thirst of Fame elsewhere. I have not thought Enough on the matter to give you my own sentiments onely thus far I must say in Tenderness to my Native Countrey that you all seem to be running mad in your Vile Emissions of black & *white* paper and the Latter may soon be of the best Value. Is there no Balm in Gilead! No Physician there—and will no one dare to make a Stand for the Recovery and Saving of a poor sinking Countrey—and who cares if you Go to the bottom if they and their *pledges* may but swim. I think it time for somebody to play the Patriot in favour of the people and not Content themselves with Saying—*Si populus vult decipi decipiatur*.

The assembly here has been sitting now 10 days in pretty good Temper but you know its hard to guess what Turn publick bodies may take. I hope the two houses will keep sweet between themselves and on my Part I will Indeavour to avoid any sowering to Either of them. I am

Hono^{ble} Sir Your Lov^d Uncle

J. BELCHER.

Letter from James Alexander to Joseph Murray¹, of New York,—as to the propriety of the Governor sitting with the Council in their Legislative Capacity.

[From a Copy in James Alexander's Papers, Vol. I, No. 64, in the Rutherford Collection.]

To Joseph Murray Esq

Burlington Dec^r 3^d 1747

Sir

his Excellency Gov^r Belcher finding upon his perusal of the minutes of the Council that all Gov^{rs} appointed by the Crown to this Government untill Gov^r Morris's time Sat with the Council in their Legislative Capacity as well as when a Council of State, has been pleased to Declare his intention to Set with the Council in their Legislative Capacity unless good cause be shoven to the Contrary

Some of the Gen^l of the Council here have acquaint-ed his Excellency that tho' true it is that all Governours, as he had Said Sat with the Council, yet they understood that that was one of the articles of Complaint made by Coll Morris against Governour Cosby—That Lieut Governour Clarke of New York who immediately Succeeded Gov^r Cosby Did Desist from Sitting with the Council in their Legislative Capacity which alteration in his Conduct in that point its Supposed must have arisen from Some order from the Ministry or board of trade in Consequence of that Complaint & not barely from the Complaint it Self

in behalf of our Selves & the rest of the Council here

¹ Mr. Murray was a member of the New York Council and a lawyer of repute in that province.—Ed.

we beg Leave to Entreat of you to inform us if you can with what motives induced M^r Clark to Desist from Setting with the Council in their Legislative Capacity, and whether it was by any order from home whether that Order be upon the minutes of Council and if it is, then to favour us with an attested Coppy thereof from the minutes, if Such order cannot be found, then to recollect whether your Self or any of your acquaintance have Seen it, & that the person or persons who have Seen it do Certify what they remember concerning it, as from whom it was, & what the purport.

We have also heard that the Councils of Virginia, South Carolina Jamaica Barbadoes & Antigua do each Set by themselves in their Legislative Capacity. We Suppose that Mr Robert Watts can Certify whether it be not So as to Barbadoes, & by your Acquaintance we doubt not you can find other persons in New York who can Certify as to all the rest.

We must Entreat your answer by the next post with the attested Coppy from the minutes of Council, of the order from home concerning this matter if any Such be, & if not, then what you can inform us concerning it, As for other things requested we are Sensible that its impossible to answer us by next post but Entreat your full Auswer by the next post after

We are Sir

[Queries and Letter sent to each of the provinces, on the subject of the foregoing letter]

1st Whether In Your Government, his Majesties Council, by Virtue of the Kings Commission and Instructions to your Governor be not Esteemed to have two Capacities -The one to act as a Privy Council or Council of State with the Governor -The other to Act

as a part of the Legislature with both a Deliberative and negative Voice without the Governor?

2nd) If the first Question be Answered in the Affirmative—Then, whether your Council in their Legislative Capacity have ever Since the Beginning of your Government acted as Such without the presence of the Governor?—And if not, then how Long have they so Acted? and upon what Occasion did the Change happen? was it upon any application or Complaint to the Crown or Ministry? if it was, Then by whom and when, and whether any determination was had upon that Application, and by whom, and what was the Determination.

Sir

The Governors of New York and New Jersey untill about Ten years ago, always Sat with the Councils thereof in their Legislative Capacity, but some time before that, Application was made to his Majesty by petition, wherein amongst other things it was Represented as a Grievance, that Governors Should have taken Upon them So to do, for by his Majesties Commission and Instructions no more than a Negative Voice is Given to a Governor in the making of Laws, But by Assuming power to Sitt and act with the Council in their Legislative Capacity, he thereby Assumed a Deliberative Voice, and a Double negative Voice. —That the Sitting with the Council in their Legislative Capacity was Consequentially Contrary to his Majestic's Instructions, which directs the Governor to allow the Council freedom of Debate, for his Sitting with them must tend to Deprive them of that, and over awe them into his Measures

Sundry points of the Said petition were heard before the King and Council, but we believe the above point as to Sitting with the Council in their Legislative Capacity, was not heard, nor any determination there.

on Given. But notwithstanding that, the next Governors of New York and New Jersey declined Sitting with the Council on their making of Laws, and permitted them to Sitt by themselves which they have hitherto done.

As Some of the Councillors of New York and New Jersey have Some fears that Some future Governors may Revive the Antient Claim to Sitt with the Council in both their Capacities, they would be willing to Guard themselves and their Successors against any Such future Claim. And as they have heard that in all the Governments Immediately under the Crown, the Councils do Sitt by themselves in their Legislative Capacity, And also that in Some one or more of these Governments the point has been Contested before the King and Council and Determined against the Governors, they think if these facts be So, and they Can make them appear it will Greatly Tend to hinder any Such Claim by future Governors.

Its for that purpose, that the Queries herewith are Drawn, whereof a Coppy is Intended to be Sent to Each of the King's Governments. Requesting that you would apply to one or more of the most Intelligent men of your Council, to beg the favour of them to Answer those Queries, and that they would be pleased to Give their Answers in writing Signed by them, mentioning their being of his Majesties Council in your Government, wherein you'll much oblige Sundry of the Gentlemen of the Councils of New York and New Jersey and

Your most humble Servant

Prepared after the preceeding Queries and Letter have been Considered & amended.

That M^r Murray Send one Coppy to Coll: Gilbert of Antigua

That Mr Murray would gett the favour of Mr Creyer to send a Coppy to one of his Correspondents in Jamaica

That Mr Murray would Gett the Like favour of Mr Robert Watts, as to Barbadoes,

That James Alexander do Send one Coppy to Coll: Thomas Lee, one of the Council of Virginia.

That James Alexander Gett the favour of John Provoost to Send a Coppy to Some Correspondent in South Carolina.

Address of the Council of New Jersey to Governor Belcher, December 5th, 1747.

[From Papers of James Alexander, Vol. I. No. 80. in Rutherford Collection]

THE COUNCILS ADDRESS.

We his Majesties Council for the province of New Jersey In General Assembly mett, beg Leave to Return your Exc^e our Thanks for your favourable Speech to both houses delivered on the 19th of Last month, and to Assure your Excellency that we are Come together with hearty Inclinations to promote the welfare of the province, and Shall do every thing in our power to Give dispatch to those things that we Shall Judge Conducive to the publick advantage.

The Secretary agreeable to your Excellency's orders has laid before us Sundry petitions and other papers which we have now under our Consideration, and if upon a diligent Enquiry we Judge the Complainants Intituled to the aid of the Legislature we Shall readily Join in the most Effectual measures for that purpose.

It is with the utmost Concern we have heard of the many Insurrections that have happened in this province of Late years; those bold & daring Attempts to

throw off his Majesties Authority and their dependence on the Crown of Brittain; the Trampling (as they have done) the Laws of this Country under foot, and bidding open and publick defiance to the Government, must Soon bring upon the province the Calamities of a Civil war, if timely and Effectuall measures are not taken to put a Stop to its rapid Progress.

These Insurrections are managed by numbers of people in this province, who for the better Carrying on their wicked purposes Keep up a Correspondence as well by Letter as by the Communication of the persons Concerned; this Combination So dangerous to the peace and dependence of the province has too Long Subsisted, and is Supported by Such a number of Desprate people that all the Efforts of the Government to dissolve it and to bring the delinquents to Justice have been To no purpose, in Consequence of which the Course of Common Justice is at a Stand; his Majesties Liege Subjects are deprived of the Benefit of the Laws; their properties are no Longer protected and Great numbers of Men who Stand Indicted for high treason in Levying war against our Sovereign Lord the King and other Great Crimes have the boldness to brave the publick Justice of the province and to Travel openly about the Country in defiance of the Laws

We Cannot but observe to your Excellency that this Combination was Sett on foot and first Showed it Self by a Riot in Essex on the 29th of September 1745, a time when his Majesty, his Ministers and his forces were all busily Employed in prosecuting a Just and Necessary warr against two powerful nations, and in Quelling an unnatural Rebellion at that time Raging in Great Brittain; and their Choosing that time for the perpetration of this their wickedness Shows the design of throwing off their dependance on the Crown of Brittain was deeply Laid because at that time it was not possible for his Majesty to Spare any of his

forces to Give a Check to it, And this they buoy themselves up with, and publicly gave out.

To Render their work more Secure; to Establish themselves hereafter, and to Strengthen their hands for the better Execution of their Schemes they have publicly denied his Majesties Right to the Soil of His plantations, Avowing that his Grants thereof are Void; They have in Contempt of his Majesties orders and Contrary to the Express Laws of the Country made Large Purchases of Lands from the Indians without the Leave of the Government, and have Sett up Obsolete Indian Deeds Obtained in a Criminal and Clandestine manner, as the best and only Title to the Soil of America; And have drawn into their Confederacy Numbers of men Seated by Lease and otherwise on Lands to which they have not the Least pretence, to Support this their new Scheme of power

These proceedings may it please your Excellency have already brought things to this Crisis that his Majesties Authority is no Longer regarded; his Lawful Commands are treated with Contempt, his Known officers beat and abused in the Execution of their offices, his Goals in different Counties of this province Broke open and the prisoners therein detained Released from their Confinement, and Ruin and desolation threatned to his Majesties faithfull Subjects that Should oppose them in the Execution of their wicked practices.

To put an Effectual Stop to these dangerous Attempts We have from time to time done every thing in our power agreeable to our Inclinations and the trust reposed in us by his Majesty, and we wish we Could Say that the Desired Success had attended our Endeavours.

Your Excellencys happy Arrival among us, and your Strong Inclination to do Justice to the province and Re Establish his Majesties Authority and the Laws of

the Country, we Expected would have put a Stop to their progress and Given a Check to their Insolent Behaviour But we find it had not that Effect; on the Contrary, they go on in the manner they used to do, and have Committed two Riots in the County of Morris and one in the County of Essex Since your Arrival.

Had these people been denied the benefits of the Law, had there been any Tyranny whatsoever Exercised over them, there might have been Some pretence for their Actions in the manner they have done (tho' it be wrong and Irregular) but So far is it from any thing of that Kind that they have Lived under the protection of the Laws of England, the Mildest in the world, and Executed in the Mildest manner; Courts both of Law and Equity have been Constantly Subsisting in the province, and the Method of Appealing from one Court to another has been Long Settled, and the Course of Justice Known to the people of the province. And as your Excellency Justly observes had they been in any thing Aggrieved they might have Applied themselves to his Majesties Courts of Judicature and from thence by Appeal to his Majesty in Council, who Could & Doubtless would have done them Justice, but they were & are above Asking redress of the Laws in the regular and Ordinary Course, or Submitting to any other determination than that of their own will and pleasure.

Your Excellency has a very Just Sense of the Consequences of these proceedings, and your duty and affection to the best of Kings who has trusted his Authority in this province in your hands; as well as your own Inclinations to Give peace and tranquility to a people Committed to your Charge we are well Assured will all Conspire to Induce your Excellency to Act with Vigour in an Affair where his Majesties Authority is at Stake, and where too much Lenity to Such Criminals, may be Cruelty to a Country.

Agreeable to your Excellencies advice we have Appointed a Committee to Join a Committee of the house of Assembly to Consider of the most Effectual means to put a Stop to those disturbances; upon this Committee we have named those of our members that have made the Law their Study, and are therefore best Acquainted with the nature of the offences Committed, and best able to Advise, as to the Remedies adequate to the Occasion,

We do assure your Excellency that none of the Members of our house are any otherwise Interested in this Affair than as they are freeholders in the province and faithfull Subjects to the King; and as Such we Consider Every freeholder and Good Subject in the province is Interested, and the Greater the freehold the Stronger the Interest to put an End to the disturbances and to Restore peace to the province, as the pretence and proceedings of These publick disturbers Strike at the foundation of property in Lands, at his Majesties Authority and the Laws of the Country.

As the Suppressing of These Riots is of the Greatest Consequence to the Safety of the province and its dependence on the Crown of Brittain, and As his Majesty's Authority in his plantations is Evidently Struck at, we Shall make it the principal object of our Care, and to the utmost of our power Shall afford your Excellency all possible Assistance in Restoring the peace of the province and the Establishing the Laws of the Community

By order of the house

JAS. ALEXANDER
Speaker.

*Proceedings of the Council of New Jersey—relative
to the Riots.*

[From Papers of James Alexander, Vol. I, No. 30, in the Rutherford Collection.]

Att a Council held at Burlington 9th Dec^r 1747

PRESENT

His Excellency the Governor

J Alexander	J Cox	} Esq ^r
J Rodman	A. Johnston	
R Smith	Peter Kemble	
R. H. Morris	T Leonard	

His Excellency laid before this board a Letter he had on the 7th Instant rec^d from David Martin Esq^r Sheriff of Hunterdon, dated the 6th day of Dec^r Inst: which Letter is in the following words.

“S^r I think it my duty to Inform your Exc^y that yesterday about 4 in the afternoon a number of men Came to trenton in a riotous manner armed with Clubs and Cudgells and breaking open the prison took away with them one David Brierly, a prisoner under my Care and Keeping, who I had arrested at the Suit of the King by Vertue of a writt Issued out of the Supream Court of this province on an Indictment for high treason. A Defence of the Goal to any available purpose being Impracticable as matters Stand here at present, I Contented my Self with meeting them in the Street near the prison door and Enquiring what they Came for in Such a riotous manner—they answered they Came for David Brierly whom I detained in prison; and whom they must have out. I Expostulated with them about the Heniousness of the

Crime they were going to Committ; that the repeating this Crime so often was a Great aggravation of their Guilt; and observed to them, that what ever Constructions the Law might put on what they had done before in breaking Goals, yett as the prisoner whom they now Came to rescue was committed at the Suit of the King by Vertue of a writt on an Indictment for high treason by the Law, and the doing of it at this particular Juncture was a Great Insult and an open defiance to the whole Body of the Legislature of this province now Sitting and Deliberating how to Quiet the Disturbances they had occasioned, in a Manner the most tender to them.

They Listned to me with attention & John Anderson and Edmond Bainbridge their two Chiefs Answered Me that they were Going next week to Give an Account of all their proceedings to the Governor and Assembly. Having a writt against Edmond Bainbridge for the Same Crime with Brierly's, I arrested him in the Middle of them; and told them it was Equally Criminal to rescue Bainbridge as Brierly but all to no purpose I shall be Glad to receive your Exc^{ts} Instructions how to behave in this difficult affair and am with all Dutifull regard

Y^r Exc^{ts} most Obed^t and most Humble Serv^t

DAVID MARTIN."

Upon which his Ex^y was pleased to Desire the advise of this board. And the Board taking the Same into Consideration, advised his Ex^y to order his Maj^{ty} attorney Gen^l to take affidavitts of the particular facts Mentioned in the Said Letter, and also to Lay the Said Letter and Affidavitts (when taken) before the house of Assembly, as the aid of Legislature is Necessary on this occasion.

It is therefore Ordered that his Maj^{ty} Att^y Gen^l do take or Cause to be taken, Affidavitts of the facts

relating to an Insurrection Committed at trenton on friday last; as also relating to Certain threats Given out by the persons Concerned in the Said Insurrection of their Intention to Come in a Body to this City; and that he transmitt them to his Excellency & this board with all possible dispatch.

Ordered that the Secretary do Carry to the house of Assembly the above Letter from David Martin Esq^r— and at the Same time Inform the house that his Excellency and this Board have ordered affidavits of the facts Contained in the Said Letter to be taken which will be also laid before them.

D^t to Sp^r in y^e Chair the Same day

Proceedings of the Council of New Jersey.

(From Papers of James Alexander Concerning the Land Riots. Vol. 1, No. 32. among Rutherford Collection.)

Friday December 11th 1747

The house Mett. Present

James Alexander	A Johnston	} Esq ^m
J Rodman	P. Kemble	
R H. Morris	Tho ^s Leonard	
R Smith	J. Coxe	

* * * * *

A Message from the house of Assembly by M^r Cooper and M^r Stelle

M^r Kearney one of the Committee appointed on the free Conference with the Committee of the Council on the Subject matter of the Message of that house Reported that the Committees Mett and Did Conferr thereon, and Agreed to Report to both houses as the opinion of the Committees that some Resolutions be

Entered into proper to Discourage Such large Numbers of persons coming down to this place to Lay their Complaints before any branch of the Legislature in Such Manner as is Reported, but that if any persons who have been Indicted or Legally Accused of the Disorders Committed in this Colony have any to offer, it ought to be done in a Decent manner by a Small Number of Others in their behalf

RESOLVED *Nemine Contradicente*

That any Number of persons Coming to present petitions or lay Complaints before any branch of the Legislature in a Tumultuous manner, or in Company with any person or persons Indicted for or Legally accused of Disorders Committed in this Colony in order to protect or Countenance Such persons is and will be a high Infringement of the privilidges of the Legislature and Insult upon them and a Contempt of the Laws but that if any of these persons so Indicted or accused have any thing to offer it ought to be presented in a Decent manner by a Small Number of others in their behalf.

Ordered That M^r Cooper and M^r Stelle do wait on the Council with a Copy of the above resolve and Report and acquaint them that this house proposes forthwith to order the Sheriff of Hunterdon to publish the Said Resolve in Some of the Most publick places of that County. Dec^r 11th 1747 THO^s BARTOW Clk

Whereas the house having received Information that Some persons who Stand Indicted and Accused of High treason in Levying war against our Sovereign Lord the King and for other Great Crimes Intend to Gather a Great Number of Men in order to Come in a body to this town in high contempt of the Laws of the County and of the Legislature of the province now Sitting. And whereas the Design of their Coming in the manner proposed is Given out to be in order to

Lay their Grievances before the Legislature and to protect such persons as Stand accused of any Crime from being taken by the Kings officers. The house Therefore Unanimously Came to the following Resolution Viz'

RESOLVED That any Number of men Gathering themselves together or Assembling in a Riotous and Tumultuous manner in order to accompany petitions or lay any Complaints before any of the Branches of the Legislature of this province is, Dangerous to the peace and Safety of the province: a high Contempt of the body of the Legislature; an open Violation of the Laws and Constitution (Evidently tending to Infringe and break in upon the Liberty and Independency) of the Several Branches of the Legislature: To awe and Influence them in matters under their Consideration; and is of Most dangerous and pernicious Example.

RESOLVED That any Number of men Gathering themselves together or Assembling in order to protect any person from being taken by the officers of the Government who stands Indicted or Legally accused of high treason or any other Crime, is a Great Contempt of his Majesties Authority; of the Known Laws of the Land; and is highly Criminal

Ordered That the Sheriffs of Hunterdon, Somerset, Middlesex and Essex do publish and Affix these Resolutions in the most publick places in their Respective Counties

Ordered That M^r Smith do wait on the house of Assembly, with the resolutions of the house of this day, and acquaint them that this house thinks it advisable forthwith to order the Sheriffs of Hunterdon, Somerset, Middlesex and Essex to publish the said Resolves in the most publick places of their Respective Counties, and hope that house Will Extend their order to the said Counties

* * * * *

*Letter from Governor Belcher to Colonel Alford, of
New England.*

(From a Copy among Belcher Papers in Library of N. J. Hist. Soc.)

Burlington Dec. 15, 1747

Sir

[Extract.]

* * * * *

The Assembly are Sitting and what they will do for my Support is not Concluded on nor am I Solicitous about it. I will Endeavour by the help of God to fix myself in the Esteem and Love of the People comitted to my Charge and govern them to their own ease and Content. I am Sensible my Friends as well as my Enemies began to Imagine from my Slow proceeding that I was afraid to Exert my self in blowing up the Villanous plot (of the *Land bank**) laid for the ruin of my dear Countrey but that was not the Case I was all along resolv'd to do what I did and in the most Effectual manner I could and in the Last part I acted upon it I lost £2600 the Assembly voting me but £1000 instead of £3600 however I assure you I never had one regretting thought in what I did as it all pro-

* Governor Belcher had been instructed not to allow the further issue of provincial bills of credit in Massachusetts beyond the period of those already put in circulation, which was 1741. As this period approached a project was devised by a party of the money jobbers and speculators in Massachusetts for evading the royal injunction and maintaining a supply of paper money by the establishment of a private *land bank* on a very extensive scale, and in spite of the remonstrances of Belcher, which were seconded by all the wise and more respectable portion of the community, this pernicious device was carried into effect in 1743. The country was presently deluged with the notes of this bank, for the circulation of which the most skilful and adventurous expedients of commercial artifice were adopted, and so much mischief seemed likely to ensue, that the interposition of the British government was urgently solicited by some persons of consideration in Massachusetts, and an act of Parliament was passed in 1740 for suppressing the bank and preventing the formation of similar establishments. —Graham's United States, Vol. II. p. 164. — "An Account of the Rise, Progress and Consequences of the Land Bank and Silver schemes in the Province of Massachusetts Bay." Boston, 1744. —Ed.

ceeded from a Real view to the prosperity and happiness of the People und' my Care and to this as often as I think of it I have the Sweet Satisfaction of my Conscience bearing me witness and yet being represented as a Friend to that piece of Villany was the sole reason of my Removal so hard has been my Case tho' just in God whom I am always offending—have mercy upon me for the sake of thy dear Son O God! well notwithstanding all that was done this wicked Scheme has been most fatal to the Countrey. My Successor (*with his pledges*) told you of a *new Aera of Justice* but what a Curse has that prov'd to the province—when I was superseded Exch^r was got to the monstrous height of 400 p. (" but which I am told is now at 1000), and when I was put out of the Chair I think there was outstanding in bills of Credit One hundred and Sixty thousand Pounds onely but now it is said there is two Millions.

I really wonder your wise men of Goatum are not ashamed so dreadfully to deceive themselves and their Poor People. Your bills are good for Little else than for Days to please Children for bottoms of Pyes.

* * * This is a pleasant Little City (or Village) you say you saw once a Ship lying at the Wharf here of 150 tuns—we have now a fine ship building upwards 400 Tuns to be launcht In June. I think nothing will be wanting in my power to make Trade & commerce flourish in the province as well as Agriculture and Manufactures. I am inform'd Several Families in Boston think of Moving into this province in the Spring where I think they can't fail of doing well if Sober and Diligent they will be sure of all my Countenance and Protection. I have here a Small house yet big Enough for my Little family—it Looks pleasantly 10 miles up and down the River Delaware * * * * have a pretty garden, orchard, &c. Conveniences for Geese—ducks—Dunghill Fowls

and Rabbits and a fish pond about 150 Rods from my door full of Bass—Pike—Eels and Perch and next Spring I shall have a Paddock for 15 or 20 Deer and the whole Included in a Rent of £100 a Year— but then you must Remember Its *precious New Jersey Currency* but I am rambling * * *

May you Sir and your Lady prosper and be in health even as your Souls prosper and so I remain.

Your most obed^t & most humble Serv^t

Col^l Alford

J. BELCHER.

Letter from Governor Belcher to the Secretary of State—in favor of Col. Schuyler and other New Jersey officers.

[From P. R. O. American and West Indies Vol. XIV. p. 83.]

May It Please Your Grace

The late intended Expedition, against Canada, being by His Majestys order, laid aside; and the Troops rais'd for that Service, dismiss; Col^l Peter Schuyler who com^danded the Regiment, of this Province tells me, that some of the officers, that were under his Com^dand, are going to Great Britain; and desires me, to represent to Your Grace, that from their Entering into the Service, to the time of their being dismiss, they did on all occasions behave with great Zeal for the Service, of their King and Countrey; and with good Resolution, & Prudence, in their several Stations—And that upon the great encouragment, given here, in the Kings Name, for raising these Troops, many of the officers, had put themselves out of all other Business, the more effectually to Serve His Majesty, in promoting the Expedition, and are now going, to offer themselves, to go into His Majestys

Service, and as they constantly conducted themselves, with the greatest Zeal and Chearfulness, in the late intended Enterprize they humbly hope to have the Honour, of Your Graces Protection, and Countenance, in recommending them, to His Majestys Favour, by being admittid into the Service, among the Kings regular Troops.

That the Crown may on all future Emergencies, be well Serv'd, in these North American Colonies, as well as, in Justice, to these Gentlemen, I have thought it my Duty, thus to represent their Case, and am, with the greatest regard, & Deference

My Lord Duke

Your Graces most Obedient most faithful &
most humble Servant

J BELCHER

Burlington New Jersey January 16 1747 S

*Message of Governor Belcher to the Council and
Assembly of New Jersey about Expedition to
Crown Point.*

From a Copy among the Belcher Papers in Library of New Jersey Hist. Society :

Gentlemen of the Council and of the general
Assembly

The last post brought me a Letter from M^r Shirley Governour of His Majestys province of the Massachussetts Bay with the result of Commissioners appointed from that Government New York and Connecticut respecting an Expedition to be undertaken against Crown point which Letters and the papers it Inclosed the Secretary will lay before you—And I Earnestly recom'end your Joining with these provinces in this

Important enterprize which if it please God to succeed may in its Consequences greatly Contribute to the future safety peace and prosperity of this and of all his Majestys provinces in North America and in your deliberation in this matter you will find it requires all possible dispatch. Gentlemen I am glad to understand that a Com'ittee of his Majestys Council and of the house of General Assembly have met once and again upon what I Early recom'ended to you of going into some Effectual measures for surpressing the tumults rais'd by a Number of Rioters who have lately repeated their bold and daring attempts to throw off their allegiance to the King and have treated the Laws of the Province with the greatest Contempt if these things still go on they must soon subvert the Government and bring this People into a State of Anarchy and Confusion—but I hope we shall (as one man) be so alarm'd as to do the utmost in our power to prevent so dreadfull a Calamity. I am Glad Gentlemen you have agreed in severall Bills for His Majestys Service and Interest and for the Weal of this People and to which I have now Given my Assent—as this Court has been sitting nine weeks at a great Expence I hope you will with Calmness and Unanimity and with all prudent Dispatch go through such Necessary affairs as may still remain to be done on your parts and on mine you'll find no Delay that an End may be put to this long Session which I depend would be acceptable to us all.

L Belcher

Burlington Jan. 19 1747-8

*Letter from the Lords of Trade to Governor Belcher—
congratulating him on his arrival at his Govern-
ment.*

(From P. R. O. B. T. New Jersey Vol. 15, page 167.)

To Jonathan Belcher Esq^r Governor of New
Jersey.

Sir,

We receiv'd your Letter of the 27. of August 1747, informing us of your safe Arrival at New Jersey, and of your having taken on you the Administration of your Government, on both which occasions we take this first Opportunity of congratulating you.

We doubt not but we shall receive from you in due time such Informations as His Majestys Service may require, & among other things, we desire you will not fail to send us over, once every six months, a List of the Members of the Council, signifying at the same time who are absent, and who have Licence from the Gov^r for such Absence, and for how long time.

We are sorry to hear that you found at your Arrival the Disturbances and Riots in your Province, of which We had before been made acquainted, still subsisting: but hope that you will soon be able by a prudent Conduct to put an End to such dangerous practices. So We bid you heartily farewell, and are,

Your very loving Friends and humble Servants,

R. PLUMER.

DUPPLIN

B. LEVESON GOWER. FRAN FANE

Whitehall 28 Jan'y 1747 8.

*Letter from John Cox to James Alexander detailing
some proceedings of the Governor and Council.*

[From James Alexander's New Jersey Papers, Vol III, No. 8, in the Rutherford
Collection.]

30th Jan^r 1748 Trenton

D^r Sir

I Received Yours of the 31st of last Month but before that came to hand I had wrote you A Letter Which went by the last Post and Which I hope you received.

I mentioned to you therein that the Governour had called a Councill on the 11th Which I hoped to be at, as I was not able to go down to one he had Called a few days before, and accordingly I went And found him in a resolution to have filled up Most of the Commissions in the Province of his own head; for want as he said of a Councill Which he had Summoned twice and they refused to Attend, and indeed M^r Reed had the Night before sent me a Letter pressing me to come down otherwise that would be the Consequence.

Doct^r Rodman M^r Smith and My Self waited on the Governour which I did Chiefly with a View to divert him from his design: at this Meeting he insisted upon Eastern Division Officers being named Which I could by No Means Agree to in the Absence of the Eastern Councillors (tho I did Not receive Your letter till after my return) and remonstrated Against it with all the reasons in My power and refused to be any way Concerned in the Nomination — He was at last brought off from that, but insisted upon Appointing a Second Judge and Named Samuel Nevil and ordered his Commission to be made out and Sent him because he said the Amboy Election was Soon, And he Must be re-elected by an Act of Assembly if he gave him the

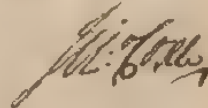
Office after he was Chosen—As I had often Said I wo'd having Nothing to do with the Appointment of the Justices of the Supream Court for that Division, I therefore refused meddling—but as I imagined the Appointment would be Agreeable enough to the Gentlemen that way, I gave the affair no other opposition but by declining to Act, and indeed it would have been to no purpose to have done so

And in order to the Appointment of the other officers he directed M^r Reed to send Summons's to all the Council in the Province to Attend on the 20th and the reason of their being Called was mentioned in the Letter, and Also that a Council had Attended who refused to Act in their absence—M^r Antill M^r Hude and M^r Kemble came thro' Trenton, and we went down, and together with M^r Reading M^r Leonard and the two Gentlemen at Burlington made up Eight Councillors; he insisted Upon appointing all the Civil Officers of the Government, and after long Arguments And Altercations between the Governour and Council it was at last Agreed that we should go thro the Old Commissions to Agree upon Who should stand or Who be struck out, And the Gent^l I believe settled the Eastern Commissions to their Satisfaction, only there was No possibility of keeping in M^r Dunstar he being determined Not to put him into Commission or relation of that whole affair would be too tedious for a Letter and as the List of Essex Officers delivered by the Chief Justice could Not be found that was agreed to be left till the Eastern Gent^l Attended at the Assembly Which is fixed for the 17th of february at Burlington; at Which time that was to be Considered of, and such New ones as were wanting in Each County were then to be Appointed, And the same Method was preserved with respect to the Western as to the Eastern Division Commissions.

The Letter wrote by the Council from Amboy he is

very angry with. And Expressed his resentment to the Gentlemen present Who signed it, in Termes (I thought) Much too severe for the Occassion, and declares he will take No Notice of Any thing Contained in it. So Nothing further Could be done at this Meeting — He also acquainted us that he Called the Assembly only to recommend the affair of the Rioters to them and says he intends to press that Matter to them very roundly, but with what Success I Cannot yet foresee, I hope upon that Occasion we shall have the Pleasure of Seeing you I am S^r

Yo^r Most obed^t humble Serv^t



Western Elections stand thus

Burlington Town . . Old ones

County W^m Cooke, Joshua Bispham in the room of Sam^l Wright (a change for y^e better)

Gloucester Jos: Cooper, James Hinchman (a very good Man) in the room of Ebenezer Hopkins.

Salem Polling still but Hancock sure the Contest is between Brick & Gibbons

Cape May Old ones

Eastern Elections Come to My Knowledge stand thus.

Monmth old ones. Somerset Old ones

Amboy & Middlesex you Must have heard of.

*Letter from Governor Belcher to Richard Partridge,
Agent of New Jersey.*

From a copy among Belcher Papers in the Library of the N. J. Hist. Soc.)

Burlington Feb 5 1747-8

Sir

The general Assembly of this province having appointed a Committee to transmit to you the acc^t of the Charge of Cloathing and Arming the Regiment rais'd in this province for the Late intended Expedition against Canada being a Duplicate of what I have had adjusted and Transmitted to Con^odore Knowles and Governour Shirley at Boston amounting to £8748: 7:4 this Curr^t the said Committee have been with me to desre me to write In favour of this Disbursement which was done by way of Loan to the Crown In Vertue of His Grace the Duke of Newcastles Lr to this Governm^t and I have this day In answer to their request delivered them my Letters open

To the Duke of Newcastle

Chancellor of the Exchequer &

Lord Commis^r of Trade and Plantation &c these Letters (with this) they will cover to you and you will read the Letters then Seal and deliver or such of them as you may think proper.

The Comm^{rs} that were Employed in this affair are here Esteem'd Gentlemen of undoubted Veracity probity and good Understanding one of them of his Majesty's Council Another his Majestys Secretary of the province Another treasurer of the Province and two others Members of the General Assembly and according to the most critical Observations I have been able to make on the Acc^t I believe it to be very Just

W^m Belch^r

and good The Article Excepted which I have mention'd in my Several Letters. For indeed it Looks to me but Reasonable that those who pretend to Lend money should have it to Lend and Not to Expect their borrowers should make the money for them.

The Objections Mr Shirley has Intimated to me against the acco. and which I suppose he has Transmitted to the Duke of Newcastle are

That all the Vouchers of the Expence dont appear

That no Commisions ought to be Charg'd for doing the Business Nor the Article of Battoes and other Implements

and these Objections I think may be answered thus

It was not practicable to send Vouchers for Every 216 but the large and most material Articles are well voucht. To pay the Commissioners for their Time and Trouble is doubtless a very Landable charge, nor does the King expect his Servants should serve him for nothing Altho' this Province was to transport their Troops to Albany (the place of Rendezvous) yet there is not the least Shadow of Reason to say they must from Albany supply Battoes to pass the Lakes and find Tents and other Necessaries for their March all that I can gather from these Objections is that a Certain Gentleman would Ingratiate himself right or wrong at the Expence of y^e Province But I have good reason to Believe that upon Conversing with your Brother Agents of other Provinces you will find the New Jersey acc to be rendered in good Form and Order and as well voucht as any that are sent home what may be offered as a Corroborating Argument for a just and Speedy Reimburstment may be the Victualing of the Troops wholly at the Expence of the Province Amounting to £9421: 17: 6 this Currency agreeably to the Acc the Committee transmits you here with this I say is besides the money lent the Crown for Arming and Cloathing—that I really think this

Province has behav'd to the King with great duty & Loyalty on this Occasion and I hope you'll be as early as possible in Solliciting the Payment of this money & that you'll follow it diligently and Indefatigably and for what more relates to it I refer you to the Committee of the General Assembly and remain with kind Respects

Sr your Lov^d Brother

J. BELCHER.

Mr. Partridge via Virginia to the Care of Mr Langley.

Letter from the Council of New Jersey to the Duke of Newcastle—recommending sundry officers who had served in the expedition to Canada.

From P. R. O. America and West Indies Vol. XIV, p. 82.

New Jersey February 12th 1747[8]

May it please your Grace.

Before this Letter Reaches your Grace, we Suppose another will be Come to hand from Some of the Members of his Majesties Council for this province dated the 10th day of Last Month, in favour of Coll^o Schuyler, and the officers of this province, who Served in the Expedition to Canada: in which, among other Recommendations to Your Grace, It is asserted that many of the officers were in Good Business, and Left the Same, Upon the hopes of being Continued in his Majesties Service. And as Capⁿ Ware and Capⁿ Dagworthy, two of the Gentlemen who Raised Companies in this province have Signified to us, their Intention to take a Voyage to England, to Implore Your Grace's Assistance, and Interest with his Majesty, for Such

NOV 10 1747

Marks of his Royal favour, as they may be thought to deserve: We being members of his Majesties Council thought it a piece of Justice due to them, to Assure your Grace that both those Gentlemen were in good business and Left the Same to Engage in his Majesties Service: and Behaved therein with becoming Zeal and Resolution through the Course of that Expedition.

We are May it please your Grace

Your Grace's Most obedient, and Most Humble Servants

JN^o READING

JA^o HUDE

JA: ALEXANDER

AND^o JOHNSTON

ROB^o H: MORRIS

JN^o COXE

Message of Governor Belcher to the Assembly of New Jersey.

[From a Copy among Belcher Papers in Library of N. J. Hist. Society.]

Gentlemen of the General Assembly

The Bill intituled an act for the Support of the Government of His Majestys Colony for one year to Commence the 10: Aug 1747 & to End 10: Aug 1748 and to discharge the publick debts and the arrearages and Contingent charges thereof having been past by his Majestys Council but this day it could not till now be laid before me and upon reading it I observe that the Support of His Majestys Governour is provided for, for one year onely whereas you will find at my first meeting you in General Assembly I acquainted you that His Majesty expected you to settle on me a Yearly Salary Sutable to the dignity of the office of His Majestys Governour and I have now ordered the Secretary to lay before you the Kings Royal Instruction at large on this head which Matter

I desire you to Consider with the attention it requires and deserves and you will then see with how much Wisdom and Reason it is Calculated for the better Establishment of His Majestys Authority and honour as well as for the more Just and Impartial Administration of the Government by all Persons and Officers concerned therein altho' you have in what is call'd the Support bill made a provision of this kind for one year for the Governours Salary as well as for that of others concern'd In the Administration yet may they still be fixt by a Subsequent Act Conformable to His Majestys Royal Instruction the doing of which I Earnestly recom'end to you and with what Dispatch you can that this long Session may be brought to a Conclusion.

J BELCHER

Burlington, Feb 17 1747 s

Message of Governor Belcher proroguing the Legislature.

(From a Copy among the Belcher Papers in Library of N. J. Hist. Society.)

Gentlemen of the Council and of the General
Assembly

At the first opening of this Session it seemed to me big with difficulties - from an almost Stagnation of all affairs of Government in this Province for above 3 years past yet I was willing to hope and Persevere for Compassing those things that might bring the province out of the Confusions. It is then with much satisfaction I look back on the Course of your proceedings in that the Members of his Majestys Council and of the general Assembly each in their Respective branches of

the Legislature as well as the Council and the Assembly with each other have with so good an Unanimity come into most of the things I recomended at your first coming together as well as into others of Importance to the People and as I have given my Assent to the Several bills you have laid before me that they may become Laws of this Province you may Assuredly depend on my Representing them in a just and reasonable Light to the Kings Ministers in order to their obtaining the royal Sanction. I hope Gentlemen such as have been so long Concern'd in the Repeated Riots and disorders of the Province as well the Heads Advisers and Abettors as Numbers that have been deluded by them will from the Lenity of His Majestys Government extended to y^e at this time with great gratitude return to their duty to the King and behave with all Obedience to the Government his Majesty has more Immediately placed over y^e and will chearfully submit themselves to y^e Salutary Laws of this Province and in a Steady Practise of these things they will approve themselves worthy of the Favour they have received from their Rulers and if Persons of all Ranks and order among us will Indeavour to become Patterns of Virtue and good Religion in their Lives and Conversations we may hope for the Blessing of Almighty God to Make Nova Cesarea or New Jersey a happy and flourishing Province and to Contribute to it I shall Imbrace all *opportunities* that shall fall in my power.

Gentlemen after your Long attendance in a very difficult Season on the Publick affairs I now wish you well to the places of your Abode, where I doubt not but you will in your Several Stations do what in you Lies to Strengthen the Hands of the Government and to promote peace and good order among the People.

J BELCHER

Burlington Feb 18 1747 8.

*Letter from Governor Belcher to Richard Partridge
about the action of the Legislature.*

Burlington Feb. 24 1747-8

(From a Copy among Belcher Papers in Library of N. J. Hist. Society.)

Brother Partridge

The general Court of this Province sat here about 14 weeks (a Long session) in which a good harmony subsisted among all the Parts of the Legislature and I have given my Assent to 19 Acts which the Secretary is getting ready to send home when I shall write the Lords of Trade and to you what I may judge Needful about them. The act for £1000 paper Currency is one and of which I find your Friends and mine are very fond and the Chief Justice of the province sayes he will do all he can to Stop its passing at home because the Assembly will not pay his Late Fathers Arrears—I think you will have orders to Spare no reasonable Cost to get it thro' so you must be brisk and diligent Your Friend Mr Smith sends you the account of what the Crown is In debt to this Province on the Late intended Expedition which is between 4 and £5000 sterling So you'll be well in Cash when you can get it and then take care to keep in your hands 4 or £500 to Inable you the better to go forward with their affairs for the Future but this you must do handsomely and with their Leave the Assembly are tolerably honest but very stingy, for altho' their Late Governor harast and plag'd them Sufficiently and I have done Everything they have desir'd yet they have not given me a penny more than they did him nor have they done it so well for on him they settled it for 3 years and mine was onely for the Currant year and I

was oblig'd to Live 6 mo^r Before they gave me a far-
thing which does not show the most handsome or
Gratefull spirit however we must hope they'll do bet-
ter in Time, they have voted you I think £677 in full
of your Arrearages of Salary and accⁿ of w^{ch} I Suppose
our Friend Richard Smith Jun^r Esq acquaints you.

* * * * *

Your Loving Brother

J BELCHER

Mr Partridge. Via Virginia (Mr Langley.)

*Letter from Robert H. Morris to James Alexander-
relating to the appointment of Samuel Nevill as
Judge.*

From Rutherford MSS., James Alexander's New Jersey Papers, Vol. III, No. 61

[February 1748¹]

D^r Sir The severe season has been such as to cut of
all communication between Shrewsbury and New
York or you should have heard from me before

The Night we were last together you may remember
what M^r Kearny said relating to the Rioters and Hold-
ing the circuit in Essex in which I think you differ'd
from him in Opinion, and his sentiments seemed to
correspond so well with what the governor had before
often declared, that I am clearly of opinion they took
their rise from one & the same source. After you left
us the scheme shewd it self more fully for Nevill De-
clared that He had a promise of the 2^d Judges commis-
sion, - that it was his intention to accept of it, That he
thought the circuit ought to be held in that and other

¹The original letter is without date, and it seems probable, from some of its con-
tents, that it was not written all at one time. - Ed

countys, That there was no danger either to the persons of the Judges, or to their authority, for his part he had promiss'd to go into that County and Hold a court and was Determined to perform it: This and much more of the same kind was said by Him, and M^r Kearny ap'roved of what He said—upon this Doctor Johnston spoke very severely to Nevill and told him he was going to act a part that none of His Friends would approve of, and I observed to him that he was become a tool in the Hands of a Crafty manager, whose intentions I plainly saw were to Justifie the Assembly in not doing any thing against the Rioters, to Lay the fault on the officers and Courts of Justice, and to furnish matter of Complaint against me, That I could not believe he would knowingly have engaged to act a part in such schemes, but now he was told of it: I should esteem his acceptance of that office, a declaring himself my Enemy and should govern myself accordingly—and this I desired he would look upon as my real sentiments—we parted without more talk and I stay'd in town two days afterwards but saw nothing of him, This convinced me that He was resolved to act upon that Plan of Richards and that we ought to have no further dependance on him:—With this Opinion I left the town and heard nothing of the situation of Politicks this way till a few days ago when I was informed M^r Johnston and others of this town had resolved to set up D^r Johnston and Nevill for the City and M^r Kearny and James Nelson for the County this gave me some surprise because I imagin'd after what had Happen'd Nevill would not have been thought on but it seems I was mistaken. However I wrote to M^r Johnston and the next day set out to see him at the mills, and from thence came to this town. By what I can learn Nevill is very disagreeable to the people and the Johnson Interest will suffer much if they insist upon forsing him in, and

whether they will be able to do it is much to be doubted, but in order to keep their Interest together they will I believe drop him which am endeavouring to bring about, and hope they will fix upon Leonard, who has consented to stand if it be necessary to keep out Richard Randolph who upon some encouragement which he says he had from M^r Kearny and M^r Nevill sets up against the Johnston Interest but I believe he will not succeed, Nelson and the Doctor will be in without dispute but I much Doubt whether M^r Kearney will or not, and if he does not, it will be Either James Smith of Woodbridge or Wetherill a Rioter; M^r Johnston tells me that he finds this County much more infected with the Riotous Principles than he had any notion of I believe we shall have members enough to make motions in the House and perhaps to fourth & fifth such motions, and I submit it to you whether we should not think before hand of some motions proper to be made upon the affair of the Money makers, Traitors, Rioters, &c. I conceive such motions should be introduced with proper recitalls of facts, and drawn up in a skill and manner proper to appear on the minutes the more things of this kind are prepared before the meeting the better that we may be ready to put the enemys of the province upon the Defensive

The Council have been three times somond within these three weeks, notwithstanding the severity of the season and the three Brunswick gentlemen are now attending. for my part I have been confined to my chair ever since Christmas 'till I came from home with a sore leg that is but now beginning to mend, tho I have neither Eat any meat or Drank any thing stronger than water since y^e 26th of Decem^r which I have given as the reason of my non attendance and Hope it may prevent a suspension which I am threat end with,

Nevill has this day qualified himself as second Judge of the supream Court upon a Commission which he received two days ago. He says he has no Intentions to Injure me, but while he remains a tool in such hands he must Excuse me if I do not believe him, for from what has pass'd I am convinced he may be led into almost any thing. * * *

Your Most Faithfull & obedient Serv^t

Rob^t. H. Morris

Address of the Council of New Jersey to Governor Belcher.

From a Copy among Papers of James Alexander, Vol. II, in Rutherford Collection.

Saturday, March 4th 1748

* * * * *

Mr Alexander from the Committee appointed to prepare a Draught of the Address in answer to his Excellencys Speech, Reported That the Committee had prepared The Same Accordingly

May it please your Excellency

We his Majesties Council for the Province of New Jersey beg Leave to return your Excellency our hearty thanks for your favourable Speech to both houses at the opening of the Sessions

And we hope your Excellency will believe we are not a little Concerned that the Continuance and increase of the Disorders and Confusions in this Province occasioned by a Combination of Abandon'd Villains, who have frequently Broke open his Majesties

Gaols, and Rescued The prisoners, Confined therein for high treason and other Crimes; and who have in many other Instances, Attempted to Subvert his Majesties Laws and Government made it Necessary for your Excellency to Call the Council and Assembly together at this Season; yet those repeated outrages, and particularly the late Impudent Attack upon The Gaol of Essex at a time when the Legislature were actually Sitting at Amboy, Rendered it Incumbent on your Excellency, in regard to the Duty you ow'd to his Majesty, and out of Tenderness to the welfare of the Inhabitants of this Province, to pursue this and every other Method which might be thought Effectual for preventing the Growth of this unparallel'd Scheme of wickedness.

And we do declare to your Excellency that we Shall heartily fall into any Measures, and Join your Excellency and the other Branch of the Legislature in Enacting Such Laws as may Contribute to Curb the Insolence of these audacious people; and we hope the other Branch of the Legislature will be as inclined as we are to take your Just and Kind Caution and advice, not to enter into any feuds or animosities, which, as we are Sensible may be productive of many inconveniences, but of no one Solid advantage. We shall, as much as in our power lies Endeavour to avoid As the Steps taken the last winter Sessions by the Legislature to Bring those Audacious Criminals to a Sense of, and return to their Duty, have not produced the desired Effect, and as the Lenity of the Government toward Them has been treated, by most of them, with Contempt, we would not Suppose the house of Assembly will delay or Refuse to do, at this Juncture, what may be proper to Restore the peace and harmony of his Majesties Government, especially Since any means we may fall upon among our Selves which may answer that end, must be less felt by us and be much more

eligible Than for us by a neglect of our duty to draw down the Resentment of his Majesty and his Ministers, which must be the unavoidable Consequence if we Suffer things to proceed To the utmost extremity, and will be attended with this peculiar hardship, That the Innocent will be of Course Sufferers, and involved in many Calamitys with the Guilty; But if it must be the misfortune of this province to be reduced to fly for Assistance to the King, We presume to Say your Excellency would Strongly Testifye your Duty to his Majesty and Esteem for his Loyall Subjects under your Care, by Laying the Deplorable State and Condition of this Colony before him, and imploring his Royall aid and interposition; and we do assure your Excellency we Shall think our Selves indispensibly obliged to Concurr with, and afford your Excellency our utmost Assistance in representing to his Majesty and his Ministers the unhappy Scituation and Circumstances of this Distressed province.

By order of the house

JOHN READING Speaker.

* * * * *

March 7th 1748 * * * His Excellency, by the Secretary, Sent to this house, his answer to their address

Gentlemen of the Council I thank you for your Address, So full of Duty and Loyalty to his Majesty, and of tender regard to his people of New Jersey; and unless effectual measures Shall be fallen upon by all the parts of the Legislature before The end of this Session of Assembly I shall desire your advice and assistance the Better to enable me in representing the distressed Condition of this Province to his Majesty, and imploring his royall aid for Saving this People from Ruin and destruction.

Burlington March 7th 1748.

J. BELCHER

*Letter from James Alexander to Cadwallader Colden
—relative to the riots.*

(From Original Draft in Rutherford Collection, Vol. IV p. 49.)

New York March 7th 1747-8

Dr Sir

[Extract.]

As I have been so long absent in Jersey, & taken up with Congratulations Since I came home I know of no news of this place to write " " " I believe you'll wonder how the cry of the rioters came to be raised against the proprietors, when you are informed how little cause they had for it. —they said the only Spring of their motion at the beginning was the frauds & abuses put upon them by the proprietors & that it was notoriously known that the proprietors sold the Same lands two or three times & that multitudes were So imposed on

from that time to the finishing of the Session was time Enough to have gathered proofs of their charge which they were so challenged to prove and accordingly at the beginning of the Session & from time to time Dureing the Sitting of it, they Laid before the Legislature numbers of papers of Complaints & affidavits for proof thereof, all which were duely weighed and Considered both by the Council & Assembly, and the whole proofs did not make appear any one case from the Settlement of New Jersey in 1665 to this day where the proprietors had Sold the Same Land twice nor that any Single proprietors had so ever done but where Compensation Either was had or may as yet be had by the ordinary Course of the Law and as to the 3 Cases Expected the proofs did not make it appear that 6 persons had been imposed on by them without

recompense, which falls far short of 50 the Latitude which the prop^r . . . ! . . . in their challenge on that head

As I think it must be a wonder to see such a Cry raised and So many riots Treasons & Disturbances committed by people in Consequence of their belief of the Cry when it was so groundless. So I think its no Less a wonder that the proprietors of East Jersey who in the year 1682 were 24 in number & continually Encreasing in number Since by Selling parts of their shares Should in all that time have so Comported themselves that no one thing unjust or unrighteous Either to white or indean people could be proved on them, the numerous Slanders in respect to both were Spread of them by the rioters & by their printed papers, which were fully answered by the prop^r three publications and M^r Nevils speeches' of which I believe you had coppys before you went from hence at least I ordered James Parker' to give you them, nor have the rioters attempted to Deny any material fact of all these publications, Except one fact on the first publication which fact by affidavit printed in the prop^r Second publication was proved true, no cause can be assigned for the Last wonder but the Checks that the Council of prop^r has over the particular proprietors by Stopping their Dividends, till they have done whats Just in relation to their proprietors, whenever they have notice of any Deviation from Justice concerning them for no doubt they are as other men Some good Some bad.

I have now got over by the Oswego the 8th & 9th volumes of the Abridgment of the Philosophical transactions of the Royal Society which bring them to 1744

See Elizabeth Town Hall in Chancery pp. 2 and New York Weekly Post Boy May 1. 0 and May 20th 1747 1.

|| From whence press they issued. Ed

& I have got the particular transactions since the Abridgments End in which there are many very curious things. One is a Discovery from Tonquin which Joins to China, that Musk is a Specifick for all Spasms Convulsions & putrid fevers. Musk has long been known to be good in these, but Seldom above half a grain of it was given in any Dose, whereas its found it can be Safely administered from 10 to 24 grains in a Dose, one very remarkable case amongst many others mentioned was, that one was Expiring, his Legs cold, & his teeth Shut So that nothing could be administered at the mouth, the Phisitian for a tryal ordered a Glyster strong with musk, which recovered the patient.

the way of operation is by Sweat & sleep one has Slept 36 hours with it at a time when the patient wakes he finds himself refreshed & not with that weariness that opium Leaves—it cures the hydrophobia in its worst State, Maniacks, hystericks &c * *

Ja. Alexander

*Letter from Governor Belcher to Rev. Aaron Burr
relating to the new College.*

From a Copy among Belcher Papers in the Library of the N. J. Hist. Soc.

Burlington March 21 1747-8

Sir

Your favour of 21: Ulti has been a Long Time finding the way, being brought me but this Morning by one Mr Johnson who takes care of this—you cannot be more thoughtfull and Solicitous for the growth and Prosperity of my adopted Daughter our future Alma

mater than I am.' In order to the perfecting the Charter you know it will be Necessary that I go to Phil^a and which I intend soon—you say a Com^{en}cent is designed the 3^d wednesday of May next so I will try to get the Charter to you before that Time—I much approve of a wise frugality at the Solemnity you mention more Especially in our Infant dayes for I think the too common Extravagancies and Debauchery at such times can be no honour to what may Laudably pride itself in being called a Seminary of Religion & Learning so soon as the Charter can be completed a meeting of the Trustees will be very proper and Necessary No obstacles will discourage me from from pursuing this noble design Sed ad astra per Aspera—I cannot write positively of my being at Newark—not knowing what advices I may have by the Ship Expected from England but God Sparing my Life and Nothing Extraordinary preventing I will Indeavour to have that Pleasure. I am much oblig'd for your kind Wishes in my Administration in which I assure you I have no Views or Aims but to promote the Kings honour and Interest in the happiness and Welfare of His province of Nova Caesarea or New Jersey and to be accepted of the Multitude of my Brethren while I

Measures were taken during the administration of Governor Morris to obtain a charter for a college but without success, and not until October 23d 1749, was there one obtained, during the administration of President Hamilton, but nothing had been done before the arrival of Governor Belcher to perfect the institution. Soon after he reached New Jersey Governor Belcher interested himself to secure a more perfect charter and otherwise to promote its success. See previous Letters. On the 11th September 1748, the second charter passed the great seal of the Province and continues to be the fundamental instrument of the institution (modified in some few instances by subsequent legislation) to the present time. Under its title of the College of New Jersey, it had first entered upon its career of usefulness under its first charter in May 1747 at Elizabethtown, but the death of the Rev. Jonathan Dickinson the President, shortly after caused a suspension of the institution, and the removal of the eight students belonging to it to Newark where the college was revived under the Presidency of the Rev. Aaron Burr, the first Commencement being held on the 9th November, 1748, and there continued until 1750, when it was removed to Princeton, the first building erected there being named by Governor Belcher "Nassau Hall." Maclean's College of New Jersey. Atkinson's History of Newark, p. 64. Eo

am Seeking the Wealth of this People and speaking
peace to their Seed will be a great favour of God and
the Joye of my declining Life—Amen. * * *

Rev^d Sir Your Friend &c.

Mr Burr.

J. BELCHER.

*Letter from Governor Belcher to James Alexander—
about Expedition against Crown Point.*

From a Copy among Belcher Papers in the Library of the N. J. Hist. Soc.

Burlington April 2, 1748

Mr. Alexander New York

Sir

I have a Letter by this Post from his Excellency
your Governour about an Expedition intended against
Crown Point and hoping this Province will Join in it
of which I have answered that there seems to me no
likelyhood and have referred him to you for further
Particulars so I would pray you to wait on His Excel-
lency with the printed Journals and let him read my
Message and the Assemblys Answer on that head.
Wishing you better health and freedom from Pain
and with my best compliments to Your Lady & to all
your fine Family -I am

Hon^{ble} Sir Your Friend &c.

J. BELCHER.

*Letter from Governor Belcher to Rev. Mr. Pemberton—
about the College.*

From a Copy among Belcher Papers in the Library of the N. J. Hist. Soc.]

Burlington April 2 1848

Mr Pemberton.

Sir

I am favoured with yours of 26 and 8 Ult^m and take a particular Notice of all you say about the Affair of the College which I again assure you lyes near my heart and the 21st of last month I answered a Letter I had received from Mr Burr about the New Charter &c.

I must make a Trip to Phila^a which I cannot do till the week after next—as to the Matter of the President of the Trustees I think Mr Burr was convinced with what I said that it would be best to be always *the Kings Governour for the time being* which may be of service on many Accounts he is to be Confined to a Single Vote nor is he to call or Adjourn a Meeting but in Conformity to the Constitution It is now 30 years since my first being one of the Trustees of Harvard College by Vertue of my being A Member of His Majestys Council for the Massachusetts bay and I could never observe any Inconveniency in that part of that Charter However I will consider & talk further with some of the Trustees on this Article and will give what dispatch I can to the Charter and send it to Newark where I should be fond of being the 3^d Wednesday of next Moneth yet as I have so much to write to the other side o^th^r Water I think it will be Impracticable, but if the Commencement could be put off to 2 moneths longer God sparing my Life and

health I would endeavour to be there nor do I see any great inconveniency or charge it would be to the Candidates for degrees so to order the Matter— As the passage of Letters from hence to Newark is very uncertain I would pray you as soon as this gets to hand to send Mr Burr a Copy of what I write about the College and then give me by the first post your and his Answer that I may have Time to conform my affairs to be at Newark in July if the matter should be so determined. * * * *

I am Rev^d Sir your Friend.
J. BELCHER.

*Letter from James Alexander to Ferdinand John
Paris about Division Line between New Jersey
& New York &c.*

From the Original among the Papers of Mr. Paris in New Jersey Historical Society Library, Bundle H No. 41

New York April 16th 1748.

Sir

Since the middle of November last, I have Spent most of my time at Burlington in New Jersey, during a long Session of Assembly, which Sat I hear till the Nineteenth of February: Some acts are pass'd by that Legislature, which I hope will putt an End to the past Disorders, and Restore peace to that Province * * * *
My being Continually Engaged, So long, at Burlington, which is Eighty Miles from This place Is the Cause that you have been So long without any letter from me, in answer to Severals of yours that I have Received. * * * *

I have Several Letters from you, Concerning the Coppies of the papers requested for The proprietors

from Board of Trade &c. which papers Seem to be many more Than I dreamt of and am under not a little Anxiety, for fear of the Charge thereof, having wrote for Them as a Council for the Proprietors, as things necessary in Their Cause, without any Express order from Them, to do it; and, Should the Charge amount to any Great Sum, I am afraid I shall be Blamed by Them, for my forwardness on That head.

* * * * *

The Proprietors have, at last, prevailed on the New Jersey Assembly to pass The Act for running the Division Line between New Jersey and New York, in which, last year, you Retained the Attorney and Solicitor Generall, for Obtaining The Royall Assent to it. I have got an Exemplification of it under Seal, and Shall Serve the Governor, Council and Assembly of New York, with Coppies of it. We Expect Great opposition from New York: for New York has been without an Agent, for a Dozen Years past, but now, This Spring, They have appointed Robert Charles for Their Agent: and its Supposed, principally, to Oppose the Royall Assent to this Act; So That we are like to have the purse of This province of New York to oppose us, a Small number of private Men; which we doubt not will Induce you to be as frugall, as Possible for us, in This Affair. We think of Considering fully what they have Objected, and Can possibly Object; and to Send you Evidences to obviate Such Objections: we do not Send the Act to you, at This Time.

On the Ninth of This Month, a Motion and order was made by the Assembly of New York, as p^t Their Minutes, in These words.

"A motion was made by M^r Gale in the words following Viz."

"As I am credibly Informed, That an Act has been lately passed by the Legislature of the Province of New Jersey, for Settling the Boundaries between

"that Province and this; Which, in its Consequences
 "may Greatly Affect the properties of Many of the
 "Inhabitants of this Colony, and Tend to Lessen and
 "Impair his Majestees Revenue Arising by Quit rents:
 "I humbly move, that M^r Speaker may be directed
 "to write to M^r Charles, Agent for this Colony in
 "Great Brittain, To use his Endeavours That the Said
 "Act may not Receive Royall Assent, untill This
 "Colony have an Opportutnity of making their Objec-
 "tions to, and being heard against the Said Act.

"Ordered, That M^r Speaker write to M^r Charles,
 "Agent for this Colony in Great Brittain, to use his
 "Endeavours that the Said Act for Settling the Boun-
 "daries between The Province of New Jersey and
 "This Colony, May not Receive the Royall Assent,
 "untill This Colony have an Opportunity of Making
 "Their Objections to, and being heard Against The
 "Said Act."

The Proprietors of East Jersey do now Remitt some
 Moneys to Mess^{rs} Padheco and Tavards to be ready to
 be applyed by you when we Send the Act; which I
 hope may be next Opportunity.

Governor Belcher, in his General Conduct, I think
 has behaved himself well. Since he Came to his Gov-
 ernment of New Jersey; He enters in The Advice of
 the Quakers: in which, I think, he is Right; for they
 make one Third part of the house of Assembly of New
 Jersey, and Some of Them are the Men of the best
 Sense of that house; and Richard Smith one of them
 (whom I formerly, Tho' I believe wrongfully, Suspect-
 ed to have wrote against me) and on whom he chiefly
 Relies, is, by much, the Man of the best Sense and In-
 terest in that house; and if he keeps to his advice, I
 doubt not, he will make himself, and the Province
 both happy and Easy.

Governor Belcher has promised Strongly to Recom-
 mend The Said Act for the Royall Assent: being very

Sensible of the Dangers that have already Ensued and are like to Ensue, by the delay of it.

What you desired to be private in Some of your Letters, has not been communicated to any one.

I am, &c.

JAS. ALEXANDER.

*Letter from James Alexander to John Cox—not
advisable to have the Assembly dissolved, &c.*

[From Papers of James Alexander, Vol. I, No. 73, in Rutherford Collection.]

To John Cox Esq^r Trenton

New York May 2^d 1748.

Sir * * * * *

As I Can't be at Burlington at the time of the Supream Court to Assist them in Council, as you desire my opinion, its' Sincerely this;—That I do not think it will be prudent to Dissolve the present Assembly till we be well Assured that the peace of the province is Restored, which it Cannot be Said to be, untill the Rioters accept of the Act of Grace. According to the Tenor thereof Should the new Elections be Sooner, Rioting & force and violence will very probably Govern many of the Elections, and quiet men will be drove from them, which will bring new Jersey into a more deplorable State than ever it has been as yett.

There is a Majority of Good and Reasonable men in the present Assembly, who I believe will do all thats Absolutely necessary and Just; indeed the Assembly would be much better, if Some few that are in it, were out of it, but by a Dissolution it's very uncertain that

they will be left out, and if rioting and violence Should prevail at the Elections its very probable that they and more Such will Come in

Upon the whole I am humbly of opinion, that there's no Necessity of Dissolving the present Assembly; but Great danger Should they be dissolved, before the peace of the province be Restored and Secured, which I am in great doubt whether it be so at present, as I hear the Rioters are very impudent as yett; and have no thoughts of Accepting the Act of Grace—very possibly the hopes of the dissolution of this Assembly, and of their Carrying the new Elections by violence, may be one of the motives to their present temper.

I have heard that John Low intended Speedily to wait on his Excell^t to Recommend officers Civil and Military for the County of Essex—if his Ex^t should be prevailed on to accept of his Recommendation I believe you and every man (not a Rioter) must think it of Dangerous Consequences to the province—for the view must be to Restore himself to The good Graces of the Rioters, by putting all offices into their hands. There's too many Rioter officers there already, who ought to be purged out. I am Informed that M^r Ogden with Mess^{rs} Schuylers, have made a list and given it to the Chief Justice to be laid by him before his Excellency, if any Change is to be, it would Seem much more Safe to be by their Opinion, than by that of M^r Low. Whereupon I humbly Conceive his Ex^t Should be Extremely Cautious what Recommendations he takes as to Essex and Bergen, where the Rioters have most prevailed; and So Should the Council in advising; and better Lett them Stand as they are, than to Introduce a Greater number of Rioters into the offices of the Government and Should Renewing the Commissions for those two Counties be delayed till the next Sessions of Assembly at Amboy, when the Eastern Councillors Can Attend, who are most proper to advise

as those Counties, I humbly Conceive would be most Rational; for should his Excell^y be prevailed on to encrease the number of Rioters into offices, it will lay the Council under an Absolute necessity of Laying a Representation of the Matter before him in order to the Alteration of those Commissions again There's none of the Eastern Councillors that live in Essex or Bergen, but most of them have Estates in both Counties, which may be much Affected by the officers there to be Commissioned; wherefore I doubt if your opinion be ask'd on that head you'll Either advise the taking the list for Essex that Chief Justice Morris will recommend; or delay any Change till next Session of Assembly when the Eastern Councillors (most proper to advise in the Matter) Can be advised with.

* * * * I think of nothing further needfull at present but remain &c

JA: ALEXANDER

Letter from Governor Belcher to James Logan, of Philadelphia about Charter for the College

From a Copy among Belcher Papers in the Library of the A. J. Hist. Soc.

Burlington May 12 1748

Mr Logan

Sir

[Extract.]

* * * * *

I believe Sir you may have heard of y^e Design of building a College in this province the better to Commode y^e Education of the youth here and in the Neighbour^e provinces and for which I have been apply'd to for a Charter according to y^e Draft I take

the Liberty to Inclose for your perusal and as the World agree in placing you in the first class of Learning of the English America The Principal Errand of this is to ask your Leave to Set your Name at the head of the Trustees which I shall Esteem as a great Prop and Ornament to this infant Society'—altho you Labour under Infirmities of Body yet I was glad to find your Intellectual Faculties so healthy and Clear Metamen Molestat Quod Dominas Logan (sient Galba) expostulare compulsus Est Anima Logani male habitat. May God grant you Ease till in his best time he receives you to his Glory * * *

I am Hono^{ble} Sir Your most Obedient, &c.

J. BELCHER.

Letter from James Alexander to Ferdinand John Paris—on the Division Line between New York and New Jersey.

[From the Original among the Papers of Mr. Paris in N. J. Hist. Soc. Library, Bundle II, No. 6.]

New York May 16th 1748

Sir Before is Coppy of a Letter which I wrote to you p^r the Oswego.¹ Since which M^r Read Secretary of New Jersey has, at My request, Acquainted me that Coppies of the Acts passed last Sessions of Assembly in Jersey, do go to The Secretary of State and Board of Trade, by the Brigantine Richd. Cap^t Burk from Philadelphia; and amongst Them, The Act for running the Division Line between New York and New Jersey.

¹ Mr. Logan objected to being made a Trustee - Ed.

² Letter under date of April 10th, 1738 - Ed.

We are here preparing Exemplifications and other proofs to go to you Under the Great Seals of New York and New Jersey, to Obviate all The Objections That we apprehend the New York Gentlemen will make to it; and with those we Shall Send you proof of Service of Copy of the Act upon Governor Council and Assembly of New York, under one of The S^d Great Seals as you advised; but we Think it will take up Several Months, as yett, to prepare all these Things; wherefore to Save Time, if Cap^t Burk arrives with the Acts, we Think it may be advisable, that you in The mean time proceed in The Application for the Royall Assent to the Said Act: upon which, we doubt not, the New York Agent will first Insist to have time to Give New York Government Notice of the Application and to Send hither for Instructions * * * * *

But, if he has not Received his Instructions what Objections to Make to the Act it may be reasonable to Stay Some Time for That purpose, but Endeavour That it be as Short as possible; but I hope the proof preparing, may be with you before This Contest about Time and Delay does happen.

As Governor Belcher promised to me to Recommend This Act for the Royall assent, In the Strongest manner, I submitt it to you whether you ought not to see M^r Partridge his Brother in Law, Agent for New Jersey with This Application; by which you May Gett the Bennett of That Recommendation and in Case This affair Should be drawn into Length (as I Doubt not the New York Gentlemen will Endeavour, as they have Got the Assembly to be at opposition) we may the Readier in that Case Gett any further Recommendation from Gov^r Belcher that may be Conceived Necessary

But I hope we Shall be Able to put the answer to all The Objections They Can make, in so Clear a Light, That There Shall be no Good Ground for protracting

the affair beyond one hearing at Each Board, which we Lay our Account with. That They will Insist on having, were it only for Delay, and if Possible, Thereby to worry us out

I am Sir

Your most humble Servant

JA: ALEXANDER

Ferdinando John Paris Esq^r Surrey Street London

Letter from John Core to James Alexander in answer to his of May 2d.

[From James Alexander's Papers, Vol. VII. No. 74, in Rutherford Collection.]

30th May 1748 Trenton

S^r

I Received Your favour of the 2^d Instant and as Affairs are Seituated in this Province I Much Approved of the Advice you Gave. When we Came to Burlington there were Six of us Who Attended And one of the things proposed for our Advice Was the dissolution of the Assembly. I had Communicated the Contents of your Letter to No One but James Hude, the rest joined us in Opinion. And We unanimously Advised the Governour not to dissolve the Assembly Which he Agreed to And Says he designs to meet them at Amboy Sometime in August or thereabouts.

I heard Nothing of Any Application from Low or Crane or from Any other person either in Essex or Bergen. And if there was Any Such Attempt as you Mention it is kept very Close; but one Remarkable Circumstance happened which May afford Some light into the intentions About Court which was this As the Gov^r had Said he would take the Advice of the

Councill in the Appointment of Officers, And would issue New Commissions to the Several Countys, M^r Leonard Who had heard of the thing (but whether Wrote to or Not I Cannot Say) brought A list of Magistrates to Town with him, And the Morning before he went to Councill Shewed it to me As I found Dunstars Name was left out, And As I had heard by a Hint from Charles Reed that the Govern^r was resolved to leave him out of Commission, I was determined to Know the Governours Reason for this piece of Conduct, And Asked M^r Leonard how he came to be omitted in the list. Who freely told Me he Understood the Governour was Not inclined to include him in the New Commissions—I therefore insisted Upon his putting in his Name and delivering it into Councill which he Accordingly did, So when this Afair came upon the Carpet the Governour Communicated to us the list but Assured us he would Not Appoint one of them And Said he Meant M^r Dunstar, Upon Which I desired to Know his reason he Said he was a person of a very immoral life And Character that he was disaffected to the present Government and Made Use of treasonable Expressions, And Kept A Woman in the House. I Answered As to his treasonable Expressions he had Allready been Cleared by a Tryall by his Country, And therefore was to be presumed innocent, and that we had No right to trye him Again Much less Convict him upon hear say and tittle Tattle, And as to keeping a person in the House Perhaps it Might Not be So prudent in him but he Might be Marryed to her for all we Knew, And I thought it was descending from the Character of Governour And Councill to inquire Minutely into the private Afayrs of a family. he said as to the first that S^r John Cope And others had been Acquitted in England but No body thought them the less Gaulty—As to the Second he was Ordered by the Kungs Instructions to Suffer No Man to remain in

Office Who was of bad Character. I very freely told him that by the Same Instructions he was Ordered to turn No Man out without the Advice of the Councill, and I Opposed his turning out M' Dunstar without Advice, Which I declared I would Not Give without M' Dunstar upon a full hearing (if he inclined to have it) Appeared to me to be Guilty of Such faults As were Sufficient to displace him— I told him however it was disguised I took it to be a piece of Artifice Made Use of by the Rioters to Strike at the Proprietors Interest, And that this would be Construed to be An Advantage Gained by them, he insisted that No person in the Rioters Interest had Ever applyed to him for that purpose, I Mentioned they had Secret friends who perhaps he Might look upon in Another light, And tho the Rioters would Not Openly Appear in it Yet, it was Easy to perceive Some of their friends were at the bottom of it, he was at last prevailed upon to drop the whole Commission till M' Dunstar Was Served by the Complainants With Articles of the Charges that he Might have An Opportunity of Answering if he thought proper and before A larger Councill, My principal view being to Give Dunster time to Consult you And his other friends Who Could best advise him What Steps to take. You know Some of our Brethr Are apt to be Complaisant Enough to Gov^r and I thought it Not proper to Push the thing Any further at that time. We had A long dispute About the Power of the Councill he was in Effect for Making of us Solemn Witnesses to his Appointments by Consenting to Persons he Should Name & propose And I insisted On what I conceived to be our rights. Which at last Ended in a declaration that tho his Sentiments were So Yet he would Not appoint officers Without Advice of Councill how far that May be depended on is Another Matter. Tho I Might have been Much longer if I had Entered into particulars

More than I have yet I Could Not Willingly be Shorter,
that I might Enable you to form A Judgment of the
Disposition of the Court and What Steps may be
Necessary to be taken on Dunster's behalf. * * *

I am S^r Yo^r

Most obed^t and Most humble Serv^t

JN^o COXE

*Proceedings of Pennsylvania Provincial Council,
June 2d, 1748.*

[From Pennsylvania Colonial Records, Vol. V. p. 268.]

At a Council held at Philada., Thursday 2^d
June, 1748

PRESENT

The Honoble, Anthony Palmer Esq^r, President,
Thomas Lawrence, Abraham Taylor,
Robert Strettell, Benjamin Shoemaker,
Lawrence Growden, Thomas Hopkinson, { Esq^{rs}.
William Logan, |

* * * * *

A Letter from Governor Belcher by Express was read
in these words:

"Sir—

"Upon an Express I received this Day from Salem
of several French Privateers being come up Delaware
River as far as New Castle & the Mouth of Salem
Creek, a number of good hearty young Fellows has
been with me to offer themselves for the Service of
their King & Country, by making a Cruise in one of
Your arm'd Vessels, and the bearer, John Jolly, who
is very forward in the affair, carries this to Your

Honour to be inform'd how forward your Vessels, and on what Terms Men enter upon them, and I hope these brisk young fellows will find Encouragement.

"I am, Sr, Your Honour's most obed^t Servant

" J. BELCHER.

" Burlington May 31st, 1748

" The Honoble, the Presid^t"

To which the President return'd the following Answer:

" Sr

"The Spirit shewn by the good People of New Jersey is truly commendable, & the Council is oblig'd to Your Excellency for the dispatch with which You have been pleas'd to impart to us this generous offer; but, alas, on the Assembly's absolutely refusing to furnish Money, we think no Vessels of force are likely to be fitted out. If there should be any alteration of measures, the brave young men of your Province will be the first in our remembrance & have early notice

"I am Your Honour's most obedient Servant

" ANTHONY PALMER.

" Philada, 2^d June, 1748.

"The Honoble, J. Belcher, Esq^r"

Letter from Ferdinand John Paris to James Alexander about New Jersey Affairs.

[From Original Draft among the Papers of F. J. Paris in N. J. Hist. Soc. Library, Bundle II, No. 61]

To James Alexander Esq^r New York

Surry Street London 16, June 1748

Sir

[Extracts.]

I am favoured with your L^re of the 16th of April on many Affairs, whereto I am now to return you my Answer, And Am very well pleased that the New Jer-

sey Assembly have strengthen'd the hands of the Govern^{mt} & put an End to the late Riots & Outrages equally Destructive of Govern^{mt} & property. The Acts for that purpose I have not yet seen, Nor had the Board of Trade, as yesterday rec'd Any One Act, or So much as a Letter, from Gov^r Belcher, since his arrival with you, w^{ch} is thought strange. As to what may be printed of the proprietors publications, I have not yet rec'd y^r favour, you intended me, of Any Copy thereof, nor do I know whom to apply to, for the Same, You not having men^d to whom the same were Sent. * * * * *

I suppose you have rec'd before this time my Acco^t of the full expense of the papers from the Board of Trade; having sent you Duplicates, if not Triplicates thereof, the whole Amount relating thereto was 97. 7. 4, & Shall be sorry if the Number of the papers, or the papers, or the amount of the expense, sho^d Occasion any Sort of uneasiness. Had the Board of Trade indulged me with Copy of all their Minutes, On y^r Transacc^{on} relating to y^r Surrender of the Govern^{mt} of New Jersey (w^{ch} I thought to be material to you & were warranted by yo^r L^{re} of 27 Apr 1747 to have been got out) to be Sure the expense would have been thrice y^e Sum, that it is now. So that its happy that y^e Board, (so far) rejected my demand for y^r greater p^t of those. * * * * *

When the Act for running the Division Line between New Jersey & New York comes over, you may please to rely On my best endeavors for yo^r Service, more especially as you to Send me Such full Instru^s. As far as I yet conceive this is only a preparatory Step, in ord^r to y^e running that Division Line some how or other And if how, or where, it shall run, may be an o^r distinct matter. However be it one, or the other, I think I have been concerned in y^r Settlement of All y^e Boundaries of y^e

provinces in America w^{ch} have hapnd in my time & will give it my best Assistance, with what prudent frugality may be but a Cause for Settlem^t of Boundary is of all others, the most unlikely to admit of much frugality, for in their nature, they are by farr expensive than any Others w^{ch} I was ever acquainted with But, upon observing what is men^d in the Vote of y^r New York Assembly, I wish we may be able to hold the Att^y & Sol^r Gen^l, who to be Sure, are farr y^r best Councill for you altho they were retained; for I see that y^r New York Vote Supposes y^r Kings Revenue of Quit rents there is to be lessened & impaired & if that appears to be so, the sworn offic^r of y^r Crown will not think themselves at liberty to stand ag^t y^r Interest of y^r Crown * * * * *

I am glad the Gov^r Behaviour, hitherto, has been to Satisfac^{on}, And hope he will continue to please, But yet I have my Apprehensions that he will be, what he has been. He is gratefull & he is wise too, in having a regard to the Quakers It was that body of people most undoubtedly, who gott him the Governm^t And I have in Justice to him, acquainted Sev^l of the Leading men Amongst those people, how well he has hitherto behaved

I have not more at p^{sent} but to assure you that I remain with the greatest respect

S^r yo^r m^t Ob^d h^h Serv^t

FERD JOHN PARIS.

*Letter of Governor Belcher to the Duke of Bedford,
one of the Secretaries of State—Proclamation for
enforcing the prohibition of Commerce with the
French.*

(From P. R. O. American and West Indies, Vol. XIV, p. 80.)

May it please your Grace

The 13th instant, I receiv'd the great honour, of your Graces Letter, of the 25th feb^r last and am first of all, with great Duty, and deference, to Congratulate your Grace, in the Kings appointment of you, to be one of his Majesties principle Secretaries, of State, and directing you to take the Southern department—Whereby as one of his Majesties American Governors, I have the happiness, to fall under your Graces more im'ediate Care, and orders -In Duty therefore to his Majesty, I shall have the honour, to transmit to your Grace, from time to time, such things of this Government, as may relate to his Majesties honour, and Service, or to the good of his people, under my Care.

I, shall order the Kings Proclamation, your Grace has sent me, for enforcing the Prohibition of Commerce between his Majesty's Subjects, and those of the french King to be inserted in the publick News Papers here, and shall give directions, that the same be Strictly Observ'd

And here your Grace will give me leave to inform you, that for a great part of the time, of the present Warr, A Vile, illicite Trade, has been carryed on (in two publick a manner) between his Britannick Majestys Subjects (of severall of the Kings Provinces, on this Continent, and the Subjects of the French & Catholick King, in a plentifull Supply, of Provisions, and other things, to the Kings Enemys; whereby they

have been enabled to make great Depredations, on the Kings Subjects, and have much ruin'd the English Markets abroad, as well as Supply'd the Ships of Warr of the Kings Enemies in the west Indeis—And all this, my Lord Duke, has been done under Colour & pretence, of Flags of Truce, for Exchange of Prisoners on one side and the other—but I hope the Kings repeated orders forbidding this Cruel, wicked, and dishonourable Trade, will put an End to it

I wish Your Grace, and your Noble Family, all the Blessings you would Ask of Heaven, and am, with the most Profound regard My Lord Duke—

Your Graces Most Obedient Most Devoted
and Most Humble Servant
J. BELCHER.

Burlington New Jersey June 20th 1748.

*Letter from Governor Belcher to Governor Shirley, of
Massachusetts about a proposed meeting at
Albany to confer with the Indians.*

From a Copy among the Belcher Papers in Library of N. J. Hist. Society.

[Burlington] June 23, 1748

His Excellency Governour Shirley

S^r

Yesterday the post brought Me your Excellencys favour of the 11. Instant with a Vote of your Assembly and Council requesting your Excellencys being at an Interview Governour Clinton intends to have the 10. of next Month at Albany with the Six Nations, and that you have also the Kings Commands to Join with Mr Clinton in this Matter: A Ship lately to New York

brought Me Dispatches from His Grace the Duke of Bedford now Secretary of State (for the Southern Department) in which he mentions Nothing of this Affair. However as I fully fall in with your Assembly in the Expediency of Commissioners from all the Governments being at the Interview Gov^r Clinton has Appointed I Shall direct the Council of this Province to be Sum'on'd to Meet here with all the dispatch they can. But as there are onely two of the Council in this Town and most of the Rest live at a distance (Some above 50 Miles) I can't expect to see the Council till the next week, then I shall lay your Excellencys Letter with what it inclosed before them and ask their Advice whether they judge it proper to call the Assembly of this Province on this Occation, For I See your Excellency has proceeded in it with the Advice and Consent of your whole Legislature, and in which I follow your prudent Example indeed your Excellency knows and so do I that the Governours of these Plantations must fall into this Track where M^o is Necessary to do the Business. By what I have Said your Excellency will readily Perceive there can be no Expectation of Commissioners from this Government at the time you Mention, and Since the Members of this Legislature live So Scattered and remote from One Another I Must pray your Excellency in Any future Affairs you may be Commanded by the King to lay before this Government That you would do it Early and Seasonably that so it may not Miscarry for want of Time to bring it into Execution. I am with Much Respect

Sr Your Excellencys Most Obedient

& Most Humble Serv^t

J. BELCHER

*Letter from Governor Belcher to the Duke of Bedford,
Secretary of State.*

[From P. R. O. America and West Indies, Vol. XIV, p. 86.]

Burlington | N. J. | June 24th 1748.¹

May it please your Grace

I had the Honour, to write your Grace, the 20th of this month, and in Obedience, to His Majestys Orders I am now to Acquaint your Grace;

That the General Assembly, of this Province, had a Session (the last Winter) of upwards 13 Weeks, all things that had Dependance, on the Legislature, of this Province, having been in a Manner Stagnated, for Many Years together, before my Arrival; This with some Difference in Opinion, between His Majestys Council, and the assembly, Necessarily Carry'd the Session, into such a Length; However I am Glad To tell Your Grace, that in the Practice, of Patience, and Moderation, the Council and assembly fell into a Good Agreement, in passing 19 Acts, to which I Gave my assent; as Judging them, well adapted, to the Better Supporting the Kings Authority, and Intrest, in this province; and for advancing the Welfare, and prosperity of this People (and which indeed are with me, but One and the Same thing) and I have now the Honour, to Transmit to your Grace:—

The Several Acts that were past, Each of them Separate, under the Public seal.

Transcripts of the Journals, of the Council.

¹ A similar letter was written to the Duke of Newcastle April 23d 1746, a copy of which is in the Belcher Papers in the Library of the New Jersey Historical Society. The Duke was succeeded by the Duke of Bedford in February 1748.—Ed.

And the Printed Journals, of the General Assembly.

Richard Partridge, Esq^r. is Agent, at the Court of Great Britain, for this Province, and Will make His Humble application, for your Graces favour, in procuring the Kings Royal Approbation, of the Acts, before mentioned, three of which, are not to take Effect, till His Majestys Pleasure is known Viz^t

An Act, for making Current, Forty Thousand pounds, in Bills of Credit.

An Act, for the Better Enabling the Judges, and Justices, of this Colony to ascertain, and tax Bills, of Costs, and for making provision, by Law for the Payment, of the Several officers, of the Colony, and for Preventing the said officers, from taking Exorbitant Fees.—

An Act, for Runing and ascertaining the Line, of Partition, & Division betwixt this & the Province of New York;

In Duty to the King, by a Faithfull Discharge of the Trust Reposed in me: I would Humbly ask your Graces Kind Regard, to this Province, in forwarding the Kings Confirmation, of these Acts, with the Rest: this Province has always Supported the Credit, of their paper Currency rather Better, than any other of the Kings Provinces; and as they have Little or no Money, in their Treasury, for the Support, of the Government, for the Defence of themselves, or for the assistance, of their Neighbours; if they should want or desire it; & unless they can have the Circulation of this Forty Thousand pounds, The Kings Subjects, will be naked, Exposed, and in Great Confusion;

Upon the best Information I can Get, the Table of Fees, according to this Act, is much Better, to all the Kings Officers, and others, than what is Setled in the Neighbouring Colonies, and so it was Represented to me, by the officers, of the Customs, and of the Kings Courts, and others. Before I give my assent to it, and

its obtaining the Royal Sanction, I have Reason to think, Will prevent many Exorbitant Exactions, practised in times Past, and give General Content, and Satisfaction. —

That Respecting the Boundaries, between New York, and this province will Greatly promote the Quiet, and peace, of the Kings Subjects, in both provinces:

These things I Dutifully Submit, to your Grace, to whose wise and kind Care, the King has Committed His plantations; at my first arrival in this province:

I found May it please Your Grace, the Province, in Great Disorder and Confusion, from numbers, of Seditious Persons, and so it had been for Several Years, but at present, things Seem to have a Tendency to Quiet and good Order; and the Kings approbation, of the Laws, I now send your Grace, will be one of the Best Expedients, for Establishing The Tranquillity, of this Province, the publick papers I now send your Grace, are Duplicates, of what I Dispatcht two months agoe to His Grace the Duke of New Castle by the Brigth Burk Master Bound from Philadelphia, to London, who was taken a few Days after he Sail'd, at the Mouth of Delaware River; many Months before I got hither, Dyed John Hamilton Esq^r, whereby there became a Vacancy, in the Kings Council, for this Province, which by His Majestys Commands, I am to Represent to your Grace, and at the same time, to Name a Suitable person, to fill up the Vacancy; and to this End, I would therefore Humbly mention Charles Read Esq^r, the present Depth Secretary of the province, One of the Collectors, of His Majestys Customs, and a Gentleman Quallified, in all Respects, as Directed in His Majestys Royal Instructions to me, on this Head; and he has Desired His Correspondent, M^r Partridge, to wait upon your Grace, in the matter I shall with great Care, and Duty keep your Grace Constantly advis'd, in all things, in this province, that Respect

His Majestys Honour & Service, and at all times, with
Much pleasure, Obey your Graces Commands.—

For I am, with all possible Deference

My Lord Duke Your Graces Most Obedient
Most Faithfull and Most Humble Servant.

J. BELCHER.

*Letter from Governor Belcher to the Lords of Trade—
about sundry Acts forwarded to them.*

From a Copy among the Belcher Papers in Library of N. J. Hist. Society

[Burlington] June 25 1748

My Lords

I did my Self the Honour of writing you the 22 of
April By a Vessel from Philadelphia One Burk M^r for
London, who was taken a few days after he left that
Port, I now therefore Send your Lordships Duplicates
of all that went by Burk and I wish them well to your
Lordships hands when I hope your Lordships will
favourably represent the Several Laws past by this
Assembly for His Majestys Royal Approbation that
Especially for Emitting £400000. And that for fixing
the Table of Fees. My Lords without these Laws I
fear this Province will be in greater Disorder and Con-
fusion than they have been yet For there is no Money
in the Publick Treasury for Support of the Govern-
ment for defence of the Province or for any Emergency
What Soever The Neighbouring Gov^{ts} are often
writing to Me to Join with them in defence of these
Colonies & in Annoying the Kings Enemies, But I
have been Obliged to Answer there is no M^t in this
Province to defray the Charge and your Lordships
well know there Can be none without the Kings

especial Care according to His Majestys 19th Royal Instruction to me. I would therefore Humbly intreat your Lordships giving a favourable Dispatch to the said Bill for Emitting £400000 which I really think will be greatly for His Majestys Service and Honour and for the Interest and Welfare of His People.

And so will His Majestys allowance of the Bill for fixing the Fees which at present are taken so much ad libitum as to give too much reason for the Cry of Injustice and Oppression.

Your Lordships Most obedient
& Most Humble Servant,

Lords of Trade.

J. BELCHER.

[In a Letter to the Duke of Bedford, date June 24th he wrote "Upon the best Information I can Get the Table of Fees according to this Act is much Better to all the Kings Officers and others than what is Settled in the Neighbouring Colonies."]

*Address of James Alexander, Robert H. Morris and
Elisha Parker, to the Speaker of the Council of
New York.*

[From N. Y. Col. MSS. Vol. LXXVI. p. 31.]

June 25 1748

Mr Speaker of the Council

Herewith is delivered to you a Copy of an Act passed by the Governor, Council and Assembly of New Jersey, Entitled *An Act for Running and Ascertaining the Line of Partition and Division betwixt this Province of New Jersey and the Province of New York* and herewith is Showed to You an Exemplification of the Said Act Under the Great Seal of New Jersey; and

herewith is also delivered to you a Copy of a writing which was delivered along with another Copy of the Said Act to his Excellency George Clinton Esq: Governor of New York; and herewith is also Shewed to you the Commission to us Under the Great Seal of New Jersey mentioned in that writing of the matters whereof you'll be Pleased to Take notice and be Pleased to Communicate the Same writing with this and the Said Copy of the Act delivered to you. To his Majesties Council for the Province of New York. We are

Your most humble Servants

To Phillip Livingston Esq: JA ALEXANDER.
 Speaker of his Majesties Council, ROBT. H. MORRIS.
 for the Province of New York. ELISHA PARKER.

Address of a Committee of New Jersey to the Governor of New York referring to the Dividing Line between the two Provinces.

From N. Y. Col. MSS. Vol. LXXVI. p. 34.

May it please your Excellency,

As we are the persons appointed by the Government of New Jersey, under the Great Seal of that Province for Running and ascertaining the Line of Partition and Division between the two provinces of New York and New Jersey on the part of New Jersey, as by the Commission for that purpose herewith Shewed to your Excellency will appear we think it our duty to deliver to your Excellency a Copy of an Act lately passed in New Jersey Entitled "*An Act for Running and Ascertaining the Line of Partition and Division betwixt this province of New Jersey and the Province of New York.*" In which your Excellency will

observe a Clause Suspending is [its] force till it has his Majesties Royall Aprobation: And at the Same time we beg Leave to Inform your Excellency that the Proprietors of East Jersey intend to apply themselves to his Majesty and pray his Royall assent to the Same.

What Induced the Legislature of New Jersey to pass the act above mentioned was a Strong inclination they had to have the boundary Line between the two Governments reduced to a Certainty in order to quiet the Mnds of the people living nigh the Places through which that Line will Run, and to put a Stop to the many disorders and quarrells that have Subsisted in that part of the Country and which have been Carried to So Great a height as to Endanger the Lives of Several of his Majesties Subjects, and what made the passing of the Law necessary was the frequent applications that had been made without Effect to the Government of New York to Join in the Settlement of that Line in an Amicable manner pursuant to acts of Assembly Still in force in both provinces for that purpose.

We are fully Sensible that Your Excellency has neither Interest or Inclination to Oppose the Settlement of the true Boundary Line between the province under your Government and the Colony of New Jersey, and therefore we presume to hope that your Excellency will be So Good as to Communicate to us or the Government of New Jersey any objections you may have to the Act now delivered to you, That we may have an Opportunity of Obviating hem and of Convincing his Majesty and your Excellency That New Jersey has nothing in View but the Settlement of the Line according to the true Intent and meaning of the Grants under which the province is held; and as we Conceive we are able to Give Satisfactory answers to Any Such objections and as an application to his Majesty for the Royall assent to the Bill now passed

for Runing the Line will be attented with a very Considerable Expence to the Proprietors of the Eastern Division of New Jersey, we therefore hope your Excellency and the Gentlemen Concerned in the Lands on the York side of the Line will Save them the trouble & Expence of that Application to England by Joining to Settle and fix the Station point on Hudsons River and Runing the true partition Line from thence to the Station already fixed on the River Delaware, and I hope that Your Excellency and those Gentlemen will be pleased to Communicate to us your Consent to that in two months, we will So long delay Sending home the Act for his Majesties Royal Approbation or any longer reasonable time that's desired.

We Shall deliver to the Speaker of his Majesties Council and the Speaker of the house of Assembly of the province of New York Coppies of the said Act lately passed for runing the Said Line, and Coppies of what we now write to your Excellency to be by them Communicated to their respected Houses.

We are Your Excellencies Most

Obedient humble Servants

ROBERT HUNTER MORRIS,

ELISHA PARKER,

JA ALEXANDER.

June 25th 1848

To his Excellency the honorable George Clinton Esq^r Cap^t General and Governor in Chief of his Majesties province of New York and Territories and Tracts of Land depending thereon in America, Vice Admiral of the Same and Admiral of the White Squadron of his Majesties Ships of war --

*Letter from Governor Belcher to a Committee of the
West Jersey Society—about their appointing
agents in the Province, etc.*

(From a Copy among the Belcher Papers, in Library of N. J. Hist. Society.)

[Burlington] June 27 1748

Gentlemen

[Extract.]

* * * * * As to the Riots and disorders some Good Acts were Past [during the Session of last Winter] to Put an End to them what Effect they may have on those Sons of Violence Time must discover. Things seem to Subside at Present and Carry the Complexion of Quietness But I am afraid the Spirit that has reigned Among a Great Number of Seditious Persons for many years Past Still lyes Latent and unless these disorders and Tumults can be Effectually subdued and brought to an End Let the Societys Rights and Property be what it will they will Certainly find the Value of the Lands sink every day and which is but the Natural Consequence of Controversy and of Litigating Titles in the Law by which People become discouraged from coming to Settle and Subdue Wild Lands and without Inhabitants they Must Continue but an imaginary Estate.

The Society may intirely depend on all my indeavours to Compose and Put an End to these difficulties and as the General Assembly is to Sit Again in a Little Time I Shall warmly recommend their doing what they can further to bring the Province into Peace and Tranquillity.

As to your Appointing two Agents in this Province to join with Mr Lane of New York in your Affairs I

will endeavour to get the best information I Can and give you the Names of Such Persons as may be thought most Capable of your Service.

You know I am here at a great distance from New England Nor am I able to Say anything more of your Affairs there than what I wrote in June last from Portsmouth yet if you desire it I will add and Say I would not Pay the Postage of a Letter for all you will ever make of that Claim.

You very Justly observe that the Building of a College and Putting forward inferior Schools in the Province of New Jersey -Will Promote Trade Increase the Inhabitants -Make them See the Advantage and Beauty of Government, and all these things must add Considerable Value to your Estate in the Rise of Lands:

But as I find upon the Best inquiry hardly Sixty thousand Souls in the whole Province of New Jersey and most of them People that live by their day Labour, I am At Present much discouraged about a College Not Seeing where Money will be found to Build the House and to Support the Necessary Officers for the Assembly (Many of them Quakers) will do Nothing towards it. So that if Carried into Execution it must be by Subscriptions -which I will incourage and do all in my Power that So Noble a Design may not miscarry.

I am with much Esteem and Respect

Gentlemen your most obedient &c.

J. BELCHER.

The Honob^{le} The Committee of the West New Jersey Society.

*Letter from Governor Belcher to Thomas Penn, of
Pennsylvania.*

[From a Copy among the Belcher Papers in the Library of the N. J. Hist. Society.]

[Burlington] June 28, 1748

Sr

By the Otter Sloop of Warr I have your favour of the 29. of March, and am to thank you for all your Respect. But am Sorry to be mortified with the great uncertainty of enjoying the Pleasure of your most Agreeable Acquaintance and Conversation in the Neighbourhood of Philadelphia in the hopes whereof I have past my Time with the greatest patience however the Distance betwixt us does not Abate my Esteem and Value for Mr Penn, and Wherever God Almighty may at any time cast my Lott, your Commands will alwayes Oblige Me. I see you have Appointed The Hon^{ble} Mr Hamilton to be the Governour of your fine Province and that he may be expected there in a few Months altho' I am an intire Stranger to this Gent^{le} yet I find his Merit has Acquired him such a Character as will make me fond of Cultivating a Good Correspondence with him and I heartily wish him Safe to his Government.

I wrote early to the Lords of the Admiralty how Much the Coast from Sandy hook to Cape Hatteras was infested with the Enemies Privateers, and that in Queen Anne's Warr there had always been stationed two Men of Warr at Boston as well as two at New York and which covered the Trade to much Content and Satisfaction.

I am Glad you have Succeeded so far as to obtain a Sloop for Delaware River, Which I am sensible must

have required greater Interest and Application to get done as its the first thing of the kind, Yet she is but a bauble and not equal to the business, and you ' find by the Philadelphia papers what havock the Enemies Privateers made in Delaware River the last Month Even within 50 Miles of Philadelphia where I think they took 10 or 12 Sail of one sort and Another, While the Otter Sloop was Clearing and had She been in readiness It was thought it would have been hardly prudent for her to have ventured Among Such A Number of Privateers As must have Overmatcht Her. The Product and Trade of Delaware River is Certainly of Such Consequence to the Crown as to Challenge the Protection of at least a new 6th Rate for His Majestys Garrison at Louisburg and His Ships in the West Indies greatly depend on Supplies from this River. Where had not the 100 Man of Warr look in and took one or two of the Privateers the Trade of Pennsylvania had been blockt up and ruined for this Summer and upon an Application of the President and Council to the Assembly the latter would grant no Money for the Defence of Philadelphia or for the Protection of the Trade.

So that you'll forgive Me for thinking the Model of the Government of Pennsylvania does not seem to be calculated down to the present time and Circumstances I Say neither for the honour and Service of the Crown nor for the Interest of the Proprietors and should the Warr hold Perhaps you may come to coincide with my Way of thinking Unless the Crown will more powerfully Protect you.

I Wish you Health - Ease honour & am

Hono^{ble} Sr your most faithfull Friend and Servant

J. BELCHER.

*Message from Governor Belcher to the Council and
Assembly of New Jersey.*

(From a Copy among the Belcher Papers in Library of N. J. Hist. Society)

Burlington (N. J.) July 7 1748

Gentlemen of the Council and of the generall Assembly

Having lately received a Letter from His Excellency Mr Shirley Governour of His Majestys Province of the Massachusetts Bay I immediatly ordered the Members of His Majestys Council to be Summoud to attend Me here When they came I laid the Said Letter with what it inclosed before them and they were of advice That the general Assembly Should be called to meet here As Soon as they conveniently could and the Secretary Shall now deliver you the papers I have mentioned the Contents whereof Are the onely reason of your meeting at this time And I hope you will readily agree with Me that it is of great Importance to the future Prosperity of this Province That you Choose Commissioners with' loss of time to proceed to Albany and there to Act in Concert with those from His Majestys other Governments for the better Securing the Six Nations of Indians to His Majestys Interest, and in their Friendship and Affection to the People of this and of the Neighbouring English Provinces and to Confer and Consult on such Other Matters As may come before this Meeting of Commissioners from So many Provinces and as that may be proposed to be done is to be without any Charge to this or the other Governments and has such a Prospect of establishing the Welfare and happiness of us and of our Neighbours I Shall not doubt your Chearfully coming into this Matter and which you will

See requires the Utmost Dispatch: And When you have gone through it you may be returning to your domestick affairs where I Suppose the Season of the Year requires your attendance.

J. BELCHER.

Letter from Governor Belcher to a Committee of the West Jersey Society—relating to the appointment of Agents in New Jersey.

(From a Copy among the Belcher Papers in Library of N. J. Hist. Society.)

[Burlington] July 25 1748

Gentlemen

I wrote you 27. of Last Month by this Conveyance Duplicate whereof you have herewith Agreeable to what I then wrote I have been Considering to find Out persons well qualifed for Transacting your Affairs in this Province And upon the best information I can get As also from my own knowledge I can freely recommend to you the following Gentlemen As Persons of good Vertue Capacity and Substance Vizt. Charles Read Esq Philip Kearney Esq & Mr John Foye all of this Province and Persons of good Constitutions Active and diligent and I doubt not will Acquit themselves with great discretion and fidelity in your Affairs.

Mr Read is Secretary of this Province and His Majestys Collector of the Customs for West Jersey: and lives in this Town As does Mr Foye in Trade and business. Mr Kearney is one of the Principal Counsellors at Law in this Province lives at Amboy in East Jersey Where lyes some part of your Lands and as he

is a good Lawyer may be of Considerable Service if any Controversy should Arise in your Concerns.

I think for the honour and Service of your business it Should be under the direction of Gentlemen of this Province Where your Estates Lye and by your Ap- pointing these Gentlemen I Shall be Nearer and more Capable of Advising and Assisting them to Promote your Interest in the best Manner and on which you may intirely depend Altho' you have wrote to Mr Lane yet you may easily Excuse the Matter to him As upon a Second Consideration thinking it best to have your Agents in the Province Where your Lands Lye.

Besides I am well informed that in the last Sale your Agents made of 10,000 Acres of Land you Suffered by two of your Agents living at New York who were much Unacquainted As to the Manner of making the Sale and in the Value of what they Sold for they let y^r Purchasers cull the best of the Lands in Small Parcels and run over 100,000 Acres to cull out their 10,000 and in a manner have Spoiled the Sale of the remaining 90,000

I have thus given you my Thoughts freely and faithfully and you will Act as you Please:

I Wish you health and prosperity in all your Affairs
& am Sr^t

your Ready Friend & Most Humble Servant

J. BELCHER.

The Hono^{ble} The Committee of the West New Jersey Society.

*Letter from James Alexander to Ferdinand John
Paris—about the Division Line between New
York and New Jersey.*

From Original among the Papers of F. J. Paris in the Library of the N. J. Hist.
Society, Bundle H, No. 7.]

New York Sep^r 2: 1748

Sir

[Extract]

* * * * *

On the 28th of June Last Mess^{rs} Morris and Parker, two of the Commissioners appointed for Runing the Line of York and Jersey, Served the Governor, Council, and Assembly here, each with a Coppy of the Act for runing the Said Line, Notified the Intention of applying for the Royall Assent, And Requested they would Communicate to them their objections if any they had, thereto—the Assembly made an Entry in their Minutes of the Service upon them, which is in their printed Votes of that day, a Coppy whereof is inclosed. Governor Clinton has no Concern in the Matter and as to the Council and Assembly, we do not expect that they will communicate any of their objections to us, but that they will Endeavour to Spin out the time, and to weary us out with the delay and charge. The Commissioners and I have Considered all the objections, that we have heard they have made, and all others that we conceived the Act was Lyable to; and we think we have fully answered them; and all the proofs are bespoken and preparing at the Secretaries offices of New York and New Jersey, and hope two Coppies of All will be ready certified under the Great Seals of New York and New Jersey to Go by the first Ships from this place, which we don't Expect Will

be Till November, as those Ships that are Expected to go, are not as yett arrived here from London.

As it will be So long before an opportunity is from hence, I therefore write this to Go by way of Boston, hoping there may be Some opportunity Sooner from thence.

I am Sir Your most humble Serv^t

JA: ALEXANDER.

P. S. Sep^r 5th 1748 Yesterday arrived Cap^t Bryant, by whom I have yours of June 16th * * * * We had the Same Apprehension here, as you had, about the Vote of the New York Assembly, and that it might tend to get from us the Attorney and Solicitor General; wherefore we have fully Considered the Matter, have bespoke Exemplifications of all the New York Grants along the Division Line, by which, and two Maps thereof, we shall make it Evident, 1st That the Crown has already Granted away all the Lands along the Line, 2^d that if the Line should fall, as we Claim it, or even much more to our advantage, yet the Grantees will have much more Land, than the Quit rent they are to pay is Adequate to; therefore they can have no pretence to claim any Abatement. This we Shall Send you incontestible proofs of, as to all the patents or Grants along or near the Line, Except two, the one Rendering twelve Shillings york money yearly rents which is but about Seven Shillings Sterling; which we have not Materials to be Sure of the place of it; the other, but another trifle, and the patent it Self will appear to be a piece of Treachery and Villany which I am Sure any Crown's officer will be Ashamed to Countenance. Should our Antagonists work on the Attorney and Solicitor Gen^l before these proofs come, only desire them to Suspend their undertaking against us till the first Ship comes from hence, when you may Assure them we will incontestably demonstrate what's before mentioned; and if we do, then the Crown has

no interest whatsoever in the Matter of property or Rents; for as to Jurisdiction, New Jersey is as much a King's Government as New York is, and therefore indifferent to the Crown where the Line of Jurisdiction Shall fall; and it tends to the peace of his Majesties Subjects to have it Settled Some where, and the delay has already Caused great Riots and disturbances; and the longer it's delayed the more of these it will create, and the Course of Justice along the Line is now at a Stand; as the proofs will Evidently make appear. * * * * *

I am Sir

Your most obedient humble Servant

JA: ALEXANDER.

To Ferdinando John Paris Esq' Surrey Street London.

Letter from James Alexander to John Coxe.

From a Copy among Alexander Papers, Vol I. No 47 in the Rutherford Collection.

New York Sep^r 5th 1748

To John Coxe Esq' Trenton

Sir

* * * * * Two Riots were Committed on one Dalrymple (Settled under the protection of the Council of Proprietors of East Jersey, who Gave him a promise of protection) at the procurement of Parson Cross of Baskingridge, by which Dalrymple was Turned out of Possession and is hitherto kept out, and much damaged.

The Council of prop^r ordered Actions in Dalrymple's name of Trespass cum as portatcine against Cross and Some of the heads of the Rioters; all But Cross were taken, and by Sundry Riots upon the Sheriff and Goal

of Morris County and one in Essex County, were Rescued. Cross Gave Bail and pleaded himself in person not Guilty, and So that's at Issue, and Elisha Parker the Attorney on Record designs to bring it to tryall at the next Circuit in Somerset County where the venire was laid. —In behalf of the Council of prop^{ts} of East Jersey, I beg your Assistance as Council on the Tryall. M^r Parker will Bring you a fee for that purpose, and I hope may Send you a Brief Some days before the Tryall:

I doubt not you have heard that very few of the Rioters have Accepted of the Act of Grace made in their favour: So that it Seems absolutely necessary that the Assembly do Strengthen the hands of the Government, to put the Laws in Execution against them with Vigour, for I believe there's no Instance of a pardon once offered, and rejected, that it was ever offered a Second Time. The Steps necessary to be taken Should be thought on—the Best presidents are those Given by the Brittish Parliament—they, after the Rebellion in 1715, and after the Late Rebellion, made Acts of attainder of persons by name, if by a Certain day they did not deliver themselves up to Justice, and Stand their Tryalls. Querie, If the like Step may not be proper to the next Assembly.

This was "An Act to pardon the Persons guilty of the Insurrections, Riots and Disorders raised and committed in this Province" passed in November, 1747. The reason therefor was stated to be that "His Excellency the Governor hath Reason to believe that most of the Persons guilty of the said Insurrections, Riots and Disorders, have been artfully misled into Raising and committing the same and that the Extending of Mercy to them at this Time may be the best means of preserving them and others from standing in Need of the like Mercy and Pardon for the future, Wherefore &c." all connected with the said riots should be pardoned, released and discharged upon their appearing within six months after the passage of the Act before one of the Supreme Court Judges and taking a certain oath and giving bonds for their good behavior. Persons who obtained possession of any lands which they had unlawfully seized were debarr'd the privileges of the Act but even those who had been indicted for high treason were to have all proceedings against them stay'd on their complying with the regulation of the Act. See the Act in full in Papers of James Alexander in Rutherford's collection Vol. I No. 71—Ed

I hear that Amos Roberts, Commander in chief of the Expedition to Perth Amboy, was the only Man who hindered the Rioters from Accepting; if So I think he Ought to Suffer without Mercy he stands Indicted of high Treason, and Very probable he Will be found Guilty by a Middlesex Jury.

I think it's Very happy that the Assembly was not dissolved, for had it been its more than probable that all the next elections would have been Carried by Rioting, and that none who would not Join with the Rioters, durst have appeared at the Elections.

Letter from Ferdinand John Paris to James Alexander—about the division line between New Jersey and New York.

*From Original Draft among Papers of F. J. Paris in the N. J. Hist. Soc. Library
Bundle No. 8.

To James Alexander Esq^r

Surry Street, London, 30 Sept. 1748

Sir

Extract.]

* * * * *

I observe what you desire, in taking M^r Partridge along with me, in soliciting the Approbation of the Act for running the Division Line, in ord^r to secure, thereby, the Gov^r's present & future recomendacⁿ of

*Mr. Coxe had written to Mr. Alexander that the Governor intended to dissolve the Assembly and wished to confer with the Council upon the subject. Mr. Alexander objected to the dissolution and under date of May 21 1748 wrote to Mr. Coxe:—I do not think it will be prudent to Dissolve the present Assembly till we be well assured that the peace of the province is Restored, which it Cannot be said to be, until the Rioters accept the Act of Grace. According to the Tenor thereof. Should the new Elections be Sooner. Rioting force and violence will very probably Govern many of the Elections, and quiet men will be drove from them which will bring New Jersey into a more deplorable State than ever it has been as yet. The Council unanimously advised the Governor not to dissolve the Assembly to which he agreed.—See Alexander Papers, Vol. I Nos. 72, 73, 74. Ed.

that Act, I am upon exceeding good Terms with M^r Partridge, (who is a Merch^t & not a Lawyer) insomuch that he employs me, constantly, in all his Law business, if I am not preengaged ag^t him, And I will find some way to Oblige him in that Affair, in ord^r to the Attainment of what you propose.

I suppose there is a Suspending Clause in the Act for running the Division Lines. Otherwise, there will need no Application On our part, for the Royal Confirmⁿ but the Applicⁿ sho^d come from New York, to have the Act disallowed.

How many hearings there may be thereon, the wisest man alive cannot yet tell; more especially, if New York determine to be as troublesome, & to occasion as much expense, as it may. I Assure you I will use the utmost Care & prudent frugality in my power. But the Settlem^t of Boundarys is no Short Affair. In such a Case between Massachusetts Bay & New Hampshire, (where the Massachusetts Bay Opposed the Settlem^t by all the means that could be invented) there were at the privy Coⁿ & at y^r Board of Trade & before the Att^y & Sol^l Gen^l (all put together) not less than 54 or 55 Sev^l hearings, by Council, but I hope this affair will not be like that: For that was troublesome to the greatest degree that I ever experienced.

I formerly wrote to you in Answer to yo^r favour of the 16th of April, that notwithstanding the Attorney & Sol^l Gen^l are retained for New Jersey, Yet if the Affair of y^r Division does Affect the Kings Interest (as pretended by the Minute of the New York Assembly of the 9th of April last) they will not think themselves at all bound by any Retainer. But however that may be, they in all Cases, now of late, (it did not use to be so formerly) refuse to attend y^r Board of Trade, as Counsell for p^tys. So that, were it not for the Injuncⁿ of Frugality, w^{ch} you have layd me under, I Should additⁿally retain M^r Hume Campbell for you.

And dont know but I may yet persuade my Self to do it, as a thing w^{ch}, thò in Some measure expensive, may yet be usefull.

I am Sir, Your most obed^t h^{ble} Serv^t

FERDINAND JOHN PARIS.

Letter from John Cove to James Alexander—about the Governor's health and proposed meetings of the Legislature.

From Original among the Alexander Papers, Vol 1, No 79, in Rutherford Collection.]

James Alexander Esq^r New York

Trenton 7th October 1748

Sir

The Governour has been lately attacked with four fevers running Which has Weak^{ned} him to A Great Degree And he for What I Can hear is So Much Shattered that I question Much Whether he will live over this Winter or Next Spring at least Without he Should Alter Much from the Condition he Seems to be in at Present. At the time the Assembly was to Meet at Amboy he had been Confined to his bed for A Week. Upon which he Called a Councill but only five Attended And As he Appeared Not to be in A Condition to go to Amboy and Very little probability of his being So well As to Venture out without Danger perhaps all the Winter, And As there seemed to be many reasons to be An Absolute Necessity of the Assemblys Meeting the Councill Advised his Calling them to Burlington. And When they Got together either proceed to business or if he found himself in Any likely way to Venture to Amboy Sometime hence

give them a further Adjournment As the Matter Could be then Settled.

And As Some Steps Should be taken in the Rioting affairs and many others Wherein your Assistance will be Wanting I hope you will waive your resolution Not Coming to Burlington for I am very Sensible that things will Suffer by your Absence; and if they Should proceed to business at Burlington the Meeting there will probably be Short and Consequently you will Not be long Confined from home—for these and Many other reasons I hope you will Not decline Coming down Since it is for the Public Welfare as well as your Interest to attend at this Juncture

I am S^r Yo^r most humble Ser^t

JN^o COXE

Governor Clinton, of New York, to the Lords of Trade.

[From N. Y. Col. Docs., Vol. VI, p. 454.]

My Lords

I some time since received a Copy of an Act passed by the Legislature of New Jersey for running the line of partition and Division between that Province and this, and at the same time was informed that the Jersey Proprietors intended to Apply for His Majesty's Royal approbation of the same

There have been many disorders committed on the Borders of these Provinces occasioned by the Lines remaining unsettled. Of some of those Disorders I had information given me by the late Governour of New Jersey by whom I was requested to Join in the Settlement of the Line pursuant to Acts then and still in force in both Provinces for that purpose which I should have readily done but upon Enquiry into the

matter I found that the sum of three thousand pounds formerly raised in this Province by Act of the Fourth of King George the first, had been long ago drawn out of the Treasury and paid to Commissioners and Surveyors employed in that Service, who began but never compleated the Work, and are since Dead and no other Money was ever appropriated in this Province for that service that I can learn

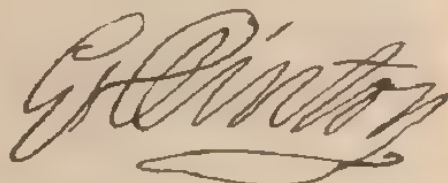
I also found that all the Lands along the Line for many miles within this Province were granted away to Private Persons upon trifling Quit Rents to the owners of the lands. I referred the matter and recommended an Amicable Agreement between them and the Jersey Proprietors who held a Meeting for that purpose but nothing was agreed upon.

As it does not appear to me that the Interest of the Crown or of this Province in General are any way concerned in the Matter, but only the Patentees of the Lands along that line, I shall decline giving Your Lordships any trouble in the Affair, leaving it to the particular persons concerned to take such steps as they shall think proper

Thus much I thought it necessary to say in Order to Explain the Reasons of my Conduct in this Affair and am with great Esteem My Lords,

Your Lordships most humble
& obedient Servant

Fort George
in the City of
New York the
7th October
1748



To the Right Hon^{rs} The Lords Commiss^{rs} for Trade
& Plantations.

Letter from James Alexander to John Coxe -in relation to the refusal of the Rioters to accept the Act of Pardon.

[From Papers of James Alexander, Vol. I, No. 80, in Rutherford Collection.]

[To John Coxe Esq^r.]

New York Oct' 17th 1748

Dr Sir

I had the favours of yours of 23^d September and October 7th I am heartily Sorry to hear of the Governor's indisposition; Considering which, it Can't be Expected That he Should meet the Assembly at Amboy; and is a good reason for their Meeting at Burlington.

The Ships from hence for London are to Sail by the 10th of November; and I am preparing Evidences and Instructions to Obviate the many objections That the New York people make to the Act for runing the partition Line of York and Jersey, to be Sent with the Coppies of the Act by these Ships, So that I find it impossible, without Neglecting That, to Come to Burlington.

The only point of Difficulty, That I know of, That will Come before the Legislature, will be what's to be done with the Rioters who have Slighted the Act of Grace; and as I cannot deliver my Sentiments on that in person, I beg Leave to do it by this to you.

Such a Contempt of the Grace and favour tendered to them by the Act pass'd last Sessions, Seems absolutely to forbid all thoughts of Tendering The Like again; And as The Rioters Live within the Government, and may be taken, it would Seem the Duty of

the Legislature to Strengthen the hands of the Government So as to make the officers thereof not only to take, but keep them, and bring them to Justice, by Legal Tryalls.

This to me Seems the Duty of the whole Legislature to do; and more Especially the Duty of the Council to propose to the Assembly. But I much doubt or Rather do not believe That The Assembly will come into it; But tho' the Council were assured of that, yet that ought not to hinder their proposing it in discharge of their Duty.

If the Assembly do not Effectually Strengthen the hands of the Government; Then to me it would Seem proper for the Council to bring in and pass a Bill, reciting the Contempt of the Act of Grace, by Such and Such by Name, and the Several Crimes They Stand indited for; and Then Enact that unless on or before a day to be named They do deliver themselves up to Justice and abide the order and Judgement of the Law; Then Such as Shall neglect So to do Shall from and after that day Stand Attainted and Convicted of the Crimes Respectively for which they Stand indited.

There's presedents of Such Acts, after the Rebellion in England in 1713, to be found in the Statute Books; and Sundry presidents after the Late Rebellion.

The Method of proposing these things to the Assembly may be by a free Conference on that Matter, requested by the Council, and the Method of Showing these on the Minutes of Council may be by instructions to the Committee prior, and Report after, that the Instructions had been pursued.

Speech of Colonel Lewis Morris in the New York Assembly—on the Division Line between New York and New Jersey, October 29th, 1748.

[From a Copy among the Papers of Ferdinand John Paria in the New Jersey Historical Society Library, Book C, New Jersey Line Papers, No. 14.]

Mr Speaker

The affair of Fixing and running the Division or Partition Line, between the Province of New York and New Jersey hath been a matter of Controversie, as Long as I can Remember, The Steps taken to fix it, were at a time when I was too young to form any Judgment of it; or who was Right, or who Wrong, I was not Master Enough of the Subject to Determine. At this time of Day, I think, I know a little of the Matter, but of that the House will be able to Judge, when they have heard what I have to Offer.

On the present argument, that has been before the house, I beg Leave to Offer Some things that will put the matter in its true Light, That is to Say, what part this House ought to take, or how far it will be Just, or Equitable, to Involve *the Country* into an Expense, they are properly not Chargeable with

I Suppose it will, by Some, be wondered att That I, who am Interested in those Lands, and must, of Course pay part of the Charge, Should not Use my Endeavours That *the Countrey* Should bear the burthen; but That is The Principal Inducement to me, of Saying any thing at this time, because I think it a great piece of Injustice that I, who am a Member of this house, Should Consent, or be Aiding or assisting in Loading my Constituents with a Charge, they ought not to be Chargeable with, and at a time they are little able to bear it; but, Mr Speaker, To make what I have here asserted Plain and Demonstrable I

Shall beg Leave to Ask the following Questions The answers to which must carry Conviction with them.

1st has This Province, in General, any Interest, in the Land adjoining To the Line of Partition between New York and New Jersie?

Answer. They have no Interest.

2^d who will be The Gainers, in Case the Line Should fall one, Two or three Miles, more Southward? or who will Loose if that Line Should fall more Northward? the Particular Pattentees, or The Province in General?

Answer The Particular Pattenters

3^d has the Crown any Lands Remaining Ungranted, along that Line, from Hudson's River to Delaware

Answer None, that I know of

4th Are the Quit Rents, Reserved in and by the Pattents for those Lands, of Such value as to Interest the Crown in the Scituation of that Line?

Answer The Quit Rents do not Exceed £25 New York Money.

5. Is the Interest of the Crown Concerned, in any thing, but having the Bounds between two of its own Governments adjusted, The Peace Preserved and the Laws Administered; by Such of its Officers as have Jurisdiction?

Answer The Interest of the Crown is not Concern'd in any thing.

6. Can the Publick Peace be preserved, or the Laws administred as they ought To be (at, or near, that Line) while the Line remains Unsettled?

Answer no.

7. Will it be reasonable That this house Should put The Colony in General, to the Charge of running that Line, or to the Charge of an Opposition To the Present Jersey Bill, for that purpose, which is to be Laid before his Majesty for his Royal assent, when Particular men are only affected thereby, and will Such Opposition Really tend to the Peace and Advantage of this Prov.

ince, or Even to the Benefit of the men Concerned in the Lands?

Answer No.

8. has not this Province already been at £300 charge for Running that Line? and was not that Sum Sufficient for the purpose, if it had been well apply'd?

Answer it was Sufficient

9. Will not the people have reason to blame their Members, If they (at this time, when the Country is So much in Debt) Load them with the Charge of an Extensive Solicitation in an Affair in which the Province has no Interest?

Answer, they will be to blame

10. What Steps did this Colony take to get its Boundary Line Settled with the Colony of Connecticut?

Answer, by getting an Act of Assembly, to run it Exparte.

11. And ought we to blame other people when they follow an Example?

Answer, we ought not, if they are good Examples

Thus far my Questions and Answers, and now will only Say That Whether the Latitude be rightly fixed on Delaware or not, I cannot Determine, first, because I am not Mathematician Enough to understand the Methods proper to be taken, to fix it. Secondly, If I was I never Saw any of the Surveyors proceedings about it.

But this, I think, is as plain as any thing whatever, Even without the Knowledge of the Mathematics, That any branch of Delaware, more Northward and Westward, then the present fixt Station point, must be a more Advantageous Station To the Patentees of this Colony, and to the Proprietors of the Eastern Division of New Jersey Then the present one is; and if so, had there been Such a Branch to be discovered, it is more than Probable The Eastern Proprietors, who, we allow were cunning men, would have Left no Method unessay'd To have made Such a discovery,

because it would have been of greater advantage to them Then to the Pattentees of New York; But as I have Asserted that the Quit Rents, upon that Line, do not Exceed £25, I shall mention the Several Pattents with what they are to pay

a patent to the In-	{	Quit Rent 16 Bushels of Wheat.
habitants of Tapan		
a patent to John	{	Quit rent 12s Curr' Money of New York
Lockhart		
a patent to Honans &	{	Quit 1 Bever Skin
Hawdon		
a patent to Bridges	{	Quit £4. New York Money
& Company called		
Wewoyanda		
a patent to Matthew	{	Quit £9 New York Money
Ling called Mini-		
sing Patent		
a patent to Bridges &	{	Quit £1 New York Money
Company called		
Cheescocks Patent		
a patent to Arent	{	Quit 12s New York Money
Schuyler		
a patent to Candi-	{	Quit £2 York money
beck & Company . .		

The two Last mentioned are Included in the Minisink Pattent, and excepted out of it

Not to Trespass any further, on the patience of the house, I shall only beg Leave to observe that I think it Absolutely necessary That The Lines Should be run and Settled, and Altho the Pattentees may Loose Some Acres by that Settlement, I am clear that what they have Left will be of five times the Value that it now is.

Therefore M^r Speaker, if we can fall upon any Method to Establish that Line, without putting the Colony to any Charge, I will heartily come into it, but if that Settlement is to be Attended With an Expence, I move that those that will reap the Benefit Should bear the burthen.

I would Just take Notice of what M^r Macevers observed with regard to the Loss it would be to many poor Familys if the Line is run in the manner it is now proposed: the greatest Number of Families, I believe, which are Settled upon that Line, are by Purchases from himself, and at the time when he Sold those Lands, he was Conscious To himself That the Jersey Line would include part of the Lands he so Sold

Because, in the Warrants he gave, he warranted against all Titles *but the Jersey Titles*. So, I Suppose if he is to Loose but £500, (as he Says) it must be for Some Lands he has Sold on that Line, that the People would not take the Same Warranty.

As to the recording the Tripartite agreement made in 1749, I think is Justifiable Enough, if they had recorded it as Soon as they returned from Fixing the Station point, but to Record it many years afterwards without giving this Province Notice, was neither reasonable nor Just.

Letter from Ferdinand John Paris to James Alexander about the divisionline between New Jersey and New York.

[From Original Draft among the Papers of Mr. Paris in N. J. Hist. Soc. Library.
Bundle H, No. 15.]

To James Alexander Esq^r

Surry Street London 4, Nov. 1748

Sir

[Extract.]

* * * * *

I come now to yours of the 2^d of September

The New Jersey Acts are Arrived & with y^r Board of Trade p^ticularly that for running the Division Line with New York. It arrived here Abo^t the 10th of October, And L^res along with the same from Gov^r Belcher,

most earnestly desiring the Board of Trades Approbation of that Act & y^e paper money Act & the Fee Act. Mr Charles the New York Agent has been enquiring for the Act, abo^t the Division Line often, before its Arrival & Since, & pretends to be in a hurry to have that Act Considered. Gov^r Belcher had Strongly recommended the three abovement^d Acts, in p^ticular, to his Bro^r in Law Agent, that he went, immediately, On the 10th of October, the very Day y^e he rec^d the Acts, & layed them before the Board of Trade, & most officiously, p^resented a petition to y^e Lords Justices, to have those three Acts immediately Considered & Confirmed: But, upon my Acquainting him afterwards how much the Country was concerned to have that Act confirmed, what trouble and expense they were putting themselves to, in ord^r to remove any Objec^tions & get it confirmed, & with all, the Strong Opposi^tion to it, w^{ch} was to be expected from New York, & that y^e proofs & Instruc^tions in Support of the Act, were not yet Arrived here, (nor did I know when they might Arrive) I prevailed on him to withdraw his petition as to this particular Act w^{ch} would have bro^t on the matter now, immediately before I was instructed, & w^{ch} petition was indeed in itself a most unnecessary, & Officious price of Supererogation, but from y^e prescribing of which I imagine that M^r Belcher is to have Some money, or Advantage, to himself, when these three Acts shall receive the Royal Approbation, I now hope I shall be able to put off the Considⁿ of the s^d Act until I receive y^e proofs, but then I must, Seem to appear to be ready to go to a hearing now. For if I should once Own my Self, not to be ready when y^e New York Agent sho^d pretend to be ready, On his part He would most unquestionably press for an immediate appearance and the Board of Trade would think it Strange that we, who must have, before known of Our own Design & intention to apply for

such an Act, Should not be ready to Support it, when Stranger thereto, unapprized of any such inten'con, Sh' be ready to attack it. Altho' on the other hand, when I really shall hereafter be ready, then, the New York Agent, will Own, or at least will without doubt, pretend, to be uninterested, & so want time for reviving further Instructions, which time I will endeavour to shorten, all that I can, when I am instructed, but its too hazardous for me now to Apply for any such matter in my present Condi'ion least I should be caught thereby.

I have already assured M^r Partridge that he will oblige the Country & that I will pay his expenses, as well as own the Obligac'on, if he'll continue at times proper & convenient, to press on the Gov^r' name & behalf Along with me, for the Royal Approbac'on of this Act, Which step I took in Compliance with yo' direc'ons rather than from any Opinion w^{ch} I entertain of the Gov^r', or the Agents Interest in the matter. * * *

* * * I observe that you Served the Branches of y^r Legislature in New York, on 28 June last, with the Copy of the Act for running the Division Line, & that it is (partly) menc'ned in y^r Assembly's Votes of that Date, but hop to receive regular proof thereof, as those Votes may not be Sent home, or at least not time enough, nor yet, be full enough for our purpose. * *

I am in some hopes to disappoint the Gov^r' Recommendation & to get M^r Salter app^ointed a Committee in New Jersey on y^r vacancy occasioned by president Hamilton's death and I remain, with Great respect

Sir Yo' most obed^t h^{ble} Serv^t

FERD JOHN PARIS

Letter from Governor Belcher to the Lords of Trade.

[From P R O B T. New Jersey Vol VI, G R.]

Perth Amboy New Jersey

November 13th 1748

May It Please Your Lordships

My Last, was the 18th of October, by Way of Philadelphia; and it's Duplicate, went by Way of New York, since that I have Received the Honour, of your Lordship's Letter, of the 18th of August, To which, Your Lordships will Allow me, to Answer:—

That in April Last, I Duly Transmitted, to Your Lordships, the Publick Papers, of this Province, As the Acts past by this Legislature; and the Journals of the Council, and Assembly - These, I Say, went by a Ship, one Burk Master, from Philadelphia; and Who had the Misfortune, to be Taken, by a French Privateer, a few Days, after he Sail'd: Upon this Miscarriage, I Transmitted Duplicates, of these Things, by a Ship, One Smyter Master, from Philadelphia, about three Months Agoe. But as the Secretary Could not gett ready, Duplicates of the Journals, of Council, to Go by Smyter, I now Send Them, to your Lordships, by a Ship, One Bryant Master, Going from New York and They shall from Time to Time, be Regularly Transmitted to your Lordships—

In Obedience, to the Kings Instructions, I am now here My Lords, 60 Miles from Burlington, the place of my Stated Residence, to Hold a Session, of the General Assembly, and which began the 10th of this Month,

and all Things Relating to it shall be duly Transmitted,
Your Lordships, at the Conclusion, of the Session,

I have the Honour, to be, with great Respect
My Lords Your Lordships Most Obedient and
Most Humble Servant

Rec^d from M^r R. Partridge J BELCHER
Re^d Jan^y 4th

*Petition of the Executors of the late Governor Lewis
Morris, of New Jersey—for a Recommendation to
the Assembly to pay his salary.*

[From P. R. O. B. T. New Jersey Vol. VI, 66.]

TO THE RIGHT HON^{ble} THE LORDS COM^{rs} FOR TRADE
& PLANTATIONS

The humble Petition of Isabella Morris, Widow,
and Lewis Morris and Robert Hunter Mor-
ris, Esq^{rs}, the Executors of the late Gov^r
Morris, of New Jersey,

Sheweth

That, the said late Gov^r exercised the Government
of the Province of New Jersey, under His Majesty's
Royal Commission, From the Year 1738, down to the
Time of his Death, on the 21st of May 1746.

That, From the 23^d of Sept^r 1738, to the 23^d of Sept^r
1744, the Salary which was Sett apart and actually
payd to him, was 1000^l per Annum, Proclamation
Money.

That, the said late Gov^r, was particularly directed,
by Letters From Your Lordships Board (the Para-
graphs of some of which, are hereon endorsed) to use
all proper Means, to prevent the Increase of Paper
Currency, which had been attended with many Incon-

veniencys; And his Behaviour, in rejecting a Bill, which had been tendred to him, For making 40,000^l more, in Bills of Credit, was approved by Your Lordships.

But, however the same might be approved here, the Assembly of New Jersey. So much resented it, that they refused to allow the Salary to the Gov^r, From the 23^d of Sept^r 1744 to his Death, And, since his Death, have refused to appoint the same, to his Representatives, to the great Loss of the said Governor's Family.

Forasmuch therefore, as the late Gov^r's Family suffer, in Manner aforesaid, meerly for his Adherence to the Duty which this Honourable Board required of him,

Your Petitioners most humbly pray Your Lordships, that You will be graciously pleased, by Your Letters to the present Gov^r, to direct that he should from Time to Time, recomend to the Assembly, in the most earnest Manner, that they should appoint the Payment of the late Gov^r's Salary, down to the Time of his Death, Or that Your Lordships will be pleased to afford Your Petn^r such other Relief, and in such other Way and Manner, as to Your great Wisdom & Justice shall seem meet,

And your Petitioners shall ever pray &c.

FERD JOHN PARIS

for the Petitioners.

Extracts out of Two Letters from the Lords Commissioners for Trade and Plantations, to Lewis Morris Esq^r, late Governor of New Jersey.

1742. Aug^r 3^d " We observe what You write, in Regard to Paper Currency, and hope You will take effectual Care of the punctual Sinking the Outstanding Bills, in the Manner prescribed, by the several Acts that establish them, and use all other proper Means of keeping up their Credit, & preventing their Increase, that, in Time, an End may be put, to a Cur-

rency, which has been attended with so many Inconveniencys; We desire, therefore, You will continue to give Us, From Time to Time, an Account of what Number of these Bills are payd off and sunk.

1743. June 30th " *By rejecting the Bill, for making Forty Thousand Pounds, in Paper Currency, altho it came attended with Another, to Your Advantage, You have given a Proof of Your Disinterestedness, & We doubt not but you will strictly observe the Promise You make us, in the latter Part of the said Letter, in not giving Your Assent. to any Bills of that Kind, whatever the real or pretended, Necessitys of the Colony be, without a Clause, suspending their being in Force, 'till His Majesty shall be pleased to approve of them.*

*Letter from the Lords of Trade to Governor Belcher—
about Salary of Governor Morris, deceased.*

[From P. R. O. B. T. New Jersey, Vol. XV. page 177.]

Letter to M^r Belcher Gov^r of New Jersey in
answer to two rece'd from him.

To Jonathan Belcher Esq^r Governor of New
Jersey.

Nov^r 25, 1748

Sir,

We have receiv'd your Letters to Us dated the 22^d of April & 25th of June last. with the Acts and printed Journal of the Assembly therein mention'd, and have sent the Acts to His Majesty's Counsel appointed for the Service of this Board, for his Opinion thereupon in point of Law and as soon as he has made his Report,

We shall take them into Our Consideration: In the mean time as several of these Acts appear to Us at the first View to be of a very extraordinary Nature, and may be attended with Difficulties, We desire you will send Us by the first Opportunity, pursuant to your Instructions, your Observations upon each Act in as full & particular a manner as may be; And, to the end that We may be the better enabled to judge of the Merits of that for making current £40,000, in Bills of Credit, against which Application has already been made, We desire you will send us without delay an exact Account of the Amount of the Bills of Credit at present outstanding within the Colony under your Government by Virtue of any former Acts, as also of the Funds for calling in and sinking the same, together with an Account of the Exports and Imports, and the true Value thereof, for the last twenty years; And all such other Papers as you shall conceive necessary for Our Information upon this & the rest of the Acts you have transmitted.

We have sign'd a Representation to their Excellencies the Lords Justices proposing Richard Salter Esq^r (who was recommended to Us by the late Governor Morris) to be of the Council in New Jersey in the room of M^r Hamilton.

A Petition having been presented to Us in behalf of the Executors of the late Governor, a copy of which is here inclosed, and We having taken the same into Our Consideration, have resolved to pursue such Measures as will most effectually tend to the obtaining the payment of the Salary which had been allow'd him, for several years, and appears to have been withheld from him, for the two last years of his Administration: And We do the more earnestly interest Ourselves in behalf of the Petitioners, as the Salary has been represented to Us to have been withheld merely on account of his Adherence to his Duty and

Dun. G.
N^o 6.

Obedience to the Directions of this Board; We do therefore require and direct you to recommend it in the most earnest manner to the Assembly to make provision for the speedy payment of such Salary, and We expect from you that you will use all such Methods as shall appear most conducive to the carrying such Recommendation into effect; We consider this Affair as a Matter in which Government is essentially concern'd, and think it as dangerous to the publick Service, that Governors, who have acted in Conformity to their Instructions should fail of a proper support towards obtaining the Salary due to their Conduct, as it would for others to continue in the Enjoyment of Salaries purchased at the Expence of their Duty, & by Disobedience to His Majesty's Instructions. So We bid you heartily farewell, and are,

Your very loving Friends and humble Servants,

DUNK HALIFAX

J. PITT

DUPPLIN

FRAN: FANE.

Whitehall 25th Nov^r 1748.

*Order in Council approving of the appointment of
Richard Saltar to be of the Council of New Jersey.*

[From P. R. O. B. T. New Jersey, Vol. VI. G 40.]

AT THE COURT AT S^r JAMES'S
the 28th day of November 1748

PRESENT

The Kings most Excellent Majesty in Council

Upon reading this day at the Board a Representation from the Lords Commissioners for Trade and Plantations, dated the 15th of this Instant, Setting forth, That John Hamilton Esq^r One of His Majestys

Council in the Colony of New Jersey is dead, and that Richard Saltar Esq^r hath been recommended to them, as a Person every way qualified to Serve His Majesty in that Station, and therefore Proposing, that he may be appointed of His Majestys Council in that Colony, in the room of the said John Hamilton Esq^r His Majesty in Council Approving thereof, is Pleased to Order, as it is hereby Ordered, that the said Richard Saltar Esq^r be Constituted and Appointed a Member of His Majestys said Council in New Jersey, in the room of the said John Hamilton deceased. And His Grace the Duke of Bedford One of His Majestys Principal Secretarys of State, is to cause the usual Warrant to be Prepared for His Majestys Royal Signature accordingly.

A true Copy

W: SHARPE

Letter from Ferdinand John Paris to James Alexander about the Division Line between New York and New Jersey.

[From Original Draft in the Papers of Mr. Paris in the New Jersey Historical Society Library, Bundle II No. 21.]

James Alexander Esq^r

Surry Street London 30 Nov^r 1748

Sir

[Extract.

"I am glad that I got M^r Partridge to withdraw his petⁿ for the immediate Considⁿ of the Act abo^t the Boundary; I before told you that such petiⁿ was a matter of Supererrogatⁿ, and as he still Continued to prosecute for a Confirmation of y^e two other Acts viz^t y^e Fee Act, & y^e Paper Currency Act it has done the Gov^r & these acts also a deal of hurt, & may finally be the loss of the s^d Acts; For the Lords of Trade have

taken it into their imaginac'ons that these were not proper Acts, & that y^e Gov^t had some *private reason*, for pressing. So very warmly, as has done, for their Confirmac'on: In short they have Sent him a most Angry Letter, for not observing his Instruc: & for not sending home the Reasons, & Occasion, for Sev^l of his new Acts, & they don't Seem to be in any hurry to Consider these Acts altho y^e Gov^t & his Bro^r in Law, are in So much haste about them, so that they have both played a Silly Game, & y^e Gov^t is at present in low esteem at Whitehall. I therefore struck a bold Stroke, & have got Rich^d Saltar Esq^r recomended to be of y^e Co^l of New Jersey, & the Gov^t most pressing recomendac'ons as to y^e vacancy layd aside, & am passing the Mandamus, w^{ch} I shall send to you as soon as its Out. You please to remember, now, that there are none upon the List of p'sons recomended to be of y^e Co^l of New Jersey, but such Only as M^r Belcher has & shall recomend. Wherefore, if you have A mind to keep them out, On future Occasions, it must be by early & powerful recomendac'on of Other p'sons, from Some more potent Interest, w^{ch} may very easily, be found out. I may chance to Enclose M^r Saltars Mandamus in this L^{tr} And remain

Sir Your most obed^t h^{ble} Serv^t

FERD JOHN PARIS

*Affidavits relating to the Riots at Newark and Perth
Amboy.*

[From Alexander Papers, Vol. III, Nos. 12-15, in Rutherford Collection.]

Affidavit of John Styles

JOHN STYLES of Newark Deputy Sheriff of Essex County & Keeper of the Gaol of the same County being duly Sworn on the holy Evangelists on his Oath doth Declare that on Monday the twenty Eighth day of November Last in the Morning one Amos Roberts was by William Chettwood Esq^r Sheriff of the s^d County Committed to the s^d Gaol on a Process of Treason which the Deponent has Seen & believes the Sheriff gave the s^d Roberts a Copy of it for that he Saw him hand it out to be read & heard the Copy read, that the s^d Amos Roberts Continued so Committed till near Dark in the Evening of the Same Day when a Number of People Gathered about the Gaol & one Joseph Roberts Son of the s^d Amos Demanded the Keys of this Depon^t to Lett the s^d Amos Out which this Depon^t Refus'd & told him & many others there present that he was in Custody for Treason and forewarn'd them from Medling with the Gaol, but notwithstanding the so Informing & warning them, they Shutt the Depon^t out into the Street & his Wife into the Kitchen of the Gaol & then Proceeded towards breaking open the Gaol, one Elihu Ward had an Axe on his Arm & the Depon^t heard that Methuel Pierson with that Axe cutt the Nails of the Hinges & broke open the Gaol & Rescued the s^d Amos Roberts out of it, this Deponent believes the Number of People gathered together were between twenty & thirty who Seemed all Gathered for the Purpose of Breaking of

the Gaol they appearing in Consultation one with another the Persons that he knew & remembers among them were the s^d Joseph Roberts, 'Methuel Pierson, 'Ehhu Ward, 'Isaac Smith 'Thomas Gardner Jun' 'Benjamin Gardner 'Lawrence Eghurtse, 'Moses Baldwin Son of John, 'Aaron Ball, "Jonas Ball, "Aaron Grunimon a Printer to Joseph Roberts, "Joseph Corey —Says that one Nehemiah Crane was present but no way Encourageing or Aiding—also Samuel Plum who had been Aiding the Sheriff in takeing of s^d Roberts whom the Rioters Threat'ned to Nail up for that Service done by him. That after they had broke the Gaol & Rescued the s^d Amos Roberts They went off Huzzawing but not for King George as they had done at former Breakings of the Gaol, the Depon' Says he did not hear the Name of King George mention'd by them in their Huzzaeing And further Saith no

Sworn the 1st day of December 1748 } J. STYLES.
before Ja: Alexander, Edw^d Antill }

Affidavit of Abraham Shotwell

ABRAHAM SHOTWELL SEN^r of Essex County being one of the People Call'd Quakers being duely Affirm'd according to Law on his Affirmation Saith that on Tuesday Last in Going to Newark about two Miles to the Southward of Elizabeth Town he heard that the Person he was Going too at Newark was not at home & at that time Came up one Amos Roberts with about half a Dozen other People one Call'd 'Cap' Wheeler of Newark was one, he remembers not the Names of the Rest, he rid back with Them to the Widow Hamptons & in Rideing there he heard s^d Amos Roberts Say he had been in Gaol the day before but was Delivered, that at the Widow Hamptons, they there mett with

Several People beyond Brunswick & some from Pepack & Express'd great Joy at Meeting these & the Persons mett, or some of them said they were Coming to help the s^d Roberts *which this Affirmant understood to be out of Gaol*, of those mett he heard one Call'd Hegeman another Wycoff another Joseph Smith, does not Remember more of their Names The Affirmant Dined with them at Hamptons, after Dinner he Saw one of them Writeing *he thinks it was Joseph Smith* and had Gott about halfe a sheet wrote, did not hear any of it read; but heard some of them Say it was New Articles They were Going to Enter into & for Divideing them into three Wards & a Trustee in each Ward for Raising of money for a fair Tryal and if they could not have that They would Abide as they were, that the s^d Amos Roberts Used Arguments with the Affirmant to Join with them, Saying what a brave Thing it was to Join together to Defend the Country, upon the whole this Affirmant Answered he had had Trouble inough already by being bound for People & was Determined hereafter to keep himself out of Trouble thinks there were about Sixteen or Seventeen of those People mett with Roberts, heard s^d Roberts Declare that these People mett were all his Children & one Family & Seemed mighty Loveing & united one towards Another, that Seeing what they were upon the Affirmant Left them and Join'd John King & Eliphalet Frazey in another Room further the Affirmant Cannot materially Say

Affirm'd the 2^d of December
1748 Before—the words (& some
from Pepack) & (which this
Affirm^t understood to be out of
Gaol) & (he thinks it was
Joseph Smith) being Interlin'd
Ja: Alexander Peter Kemble
Edw^d Antill Tho^s Leonard

ABRAHAM SHOTWELL

Affidavit of Elizabeth Hampton

ELIZABETH HAMPTON of Elizabeth Town Raway Tavern Keeper being duly Sworn on the Holy Evangelists on her Oath doth Declare that on Monday Evening Last sundry Strangers came to her house at Raway (which is distant from Perth Amboy about nine Miles) amongst which was one Smith & askt if the Depon^t had Notice that there was to be a Meeting there at that Time with Amos Roberts of Newark & others And the Depon^t said She had no Notice upon which they said it had been agreed That She should have had Notice, Says that those Strangers Lodg'd at her House that Night they were five in Number, knows none of them, Says the s^d Smith told her that his Father had lived in *Elizabeth Town Raway*, Says that those five breakfasted at her house & while at Breakfast some Person Came in & said that Cap^t Roberts was in Gaol at Newark whereon some Talkt of Going there, but others for Staying & they Stayed, that a little in the Afternoon there Came one Wycoff & one Hegeman who were said to Live beyond Brunswick & in a short Time after Came the s^d Roberts from Newark & one Wheeler & one Condit and one She thinks was Call'd Williams & Abraham Shotwell Remembers not any more but a young man with a Mourning hat band to have been in their Company They Dined at the Depon^t & Shottwell with them. Shotwell told the Depon^t that They had been very pressing on him to Join them, Whereupon this Depon^t Used Arguments to Disswade him for that he had no Title to any Land & had no Business to Enter into Trouble, Does not know their Business, understood They were a Committee. Saw Writeings amongst them with Several Seals to them Understood it was to bind them to stand by one another & for Gathering in

•

Money Roberts & his Company went away after moon Rise the rest Lodg'd at her house on tuesday Night—Remembers that most of the Same Men were at the Depon^a house on the first or Second Week of October & Remembers that one of her Sons told her that the Same Men had a Meeting at her House on the first day of the Newark County Court which she believes was the fourth Tuesday of September Last. When the Depon^t had Gone to Court for a License to keep Public House, Says She avoided knowing any thing of their or of other Peoples Business at her house, and Can Say nothing further Material

ELIZABETH ^{her}_X_{mark} HAMPTON

Sworn the 5th day of December 1848 Before Ja:
Alexander And^r Johnston.

[An affidavit of similar tendency made on the same day by John Bird, son of Elizabeth Hampton: confirmed by one made by John King. - Ed.]

*Memorandum of what occurred at a conference
between Governor Belcher and several members of
the Council.*

(From the Original Paper among the Papers of James Alexander, Vol III, No. 27,
in Rutherford Collection.)

MEMORANDUM

That on Friday December the Sixteenth 1748, His Excellency Jonathan Belcher Esq^r Came into the Council Chamber, when the following Members of his Majesties Council were present, Viz^t James Alexander Robert Hunter Morris, Edward Antill, James Hude, Andrew Johnston, Peter Kemble and Thomas Leonard, and having Sent for the house of Assembly, They came; and his Excellency having given his Assent to the Bill for Support of Government, and five other Bills, he was pleased to prorogue the General Assembly to the Sixteenth day of February. M^r Morris then In Behalf of the Council applied to his Excellency, and told him That The Council had Several matters to lay Before Him, and to advise him upon Relating to the present State of this Province which they Beg'd he would receive, But his Excellency Replied that The Council had right to advise him but when they were asked; and That when he wanted their Advice, he would call them for that purpose. To which M^r Morris replied, That the Council Thought it their Duty to Advise his Excellency in matters for his Majesties Service And the Good of the province, whether his Excellency demands That advice or not, upon which the Governor Said: When I want The advice of the Council I shall ask for it. To which M^r Morris Again

* Thomas Leonard's signature is not appended to the document

replied: I believe, Sir, the Council will hardly wait for that. And Then his Excellency left the Council Chamber.

The above facts, being reduced to writing Immediately after the Governor went away, are true As Witness our hands in the Council Chamber at Perth Amboy This Sixteenth day of December One thousand Seven hundred and forty Eight.

Ja. Alexander

Robt. H. Morris

Edw. Anttila

Ja. Hude

Mo Johnston

Peter Kemble

Communication from Members of the Council to Governor Belcher relative to the advice to be given him by the Council.

[From Original Draft among the Papers of James Alexander, Vol. III, No. 29, in the Rutherford Collection.]

May it please your Excellency

It is with very Great Concern we find our Selves under a necessity of Applying to your Excellency in The manner we now do, but The Duty of our Stations and the Oaths we have taken as Members of his Majesties Council will not permit us to neglect any thing that may Tend to the Support of his Majesties Authority, to the preservation of his peace, or to the Suppression of the Treasons and Traitorous Designs that do now, and for a long time past have Subsisted and been Carried on in this province, in which his Majesties authority and Government have been publicly Slighted and treated with open Contempt, we Should have been heartily Glad if your Excellency had been pleased to have Consulted his Majesties Council on the important affairs of this Province, or by meeting with them as a Privy Council, you had given Them an opportunity of Laying before you and Giving your Excellency their thoughts and advice upon the present Disorders of the province.

Had your Exc^y been pleased to have Complied with the humble request of his Majesties Council on friday last, when we had the honour of your presence in the Council Chamber, by giving us an opportunity of Laying Some things before you relating to his Majesties Service and the peace and Safety of the province, we Should then have Communicated to your Excell^y the resolutions the Council had that Day, in their

Legislative Capacity, come into upon the house of Assembly's refusing to do any Thing to Suppress a Treasonable Conspiracy against his Majesties Government, and have Shewn to your Excell^y the Dangerous Consequence of Such their refusal, and how much it tended to increase these disorders and to encourage the Rebels and Traitors to go on in their Treasonable Attempts; we Should have Shewn to your Excellency how unreasonable it was to expect any Thing from an Assembly upon any future application to whom that matter had been recommended no less than Eight different times, without Effect, and the Absolute necessity of an immediate application to his Majesty and his Ministers, before whom we conceived the State and Condition of this province ought from time to time, but more Especially at this Time to be Laid: We Should have Laid before your Exc^y the Informations we had received That Some of the Magistrates and officers in this part of the province had encouraged those publick Disturbances, and others had been very faulty and remiss in their Duties, and humbly have recommended to your Excellency their Removal, and the making others in Their Stead; And as Great Numbers of men who Stand indicted and regularly accused of high Treason did and Still do go publickly about the province in high Contempt of the Royal Authority, and are Daily exciting his Majesties Subjects to Treason and rebellion, we Should humbly have advised your Excellency, in order to prevent his Majesties yet innocent Subjects from being led away from their Duty, to have Issued a proclamation against Those persons that are So indicted and accused, and who Stand out by force against The Officers of Justice Then by declaring Them Rebels against our Sovereign Lord the King, and in his Majesties Name, forbidding all his Subjects within this province from having any intercourse or Commerce with them; And this we

Conceived would prevent the Treasonable infection from Spreading So far and So fast as it otherwise might; All these Things we Should in most humble manner have laid before your Excellency, as we thought it our Duty and what his Majesties Service required at a time when part of the province was and Still is in an open Rebellion, had not your Excellency refused to receive them, by Declaring that his Majesties Council had no right to give any advice till it was asked, and immediately leaving the Council Chamber

We are Sorry to differ from your Excellency in opinion upon this matter, But Cannot help thinking that it is the Duty of his Majesties Council, and agreeable to their oaths, to Lay before your Excellency from time to time what they may Conceive Necessary for his Majesties Service and the good and Safety of this his province, and we are humbly of opinion That it would be for his Majesties Service if your Excellency was yet to take the measures we were then about to advise, But this we must humbly Submit to your Excellency, we Do Assure your Exc^y That it is with great grief and Concern we behold the Present Distracted State of this unhappy Province, exposed to the ravages of a Rebellious Mob who by the encouragement they have received are grown so Bold and Numerous as to bid open and public defiance to the Government, to Break through all Laws, and to plunder the Estates of his Majesties faithful Subjects, with impunity; And we Shall as in Duty Bound Continue our Utmost endeavours to Suppress these Disorders and restore the peace of the Province, and by a Steady and faithfull adherence to the Duty of our Stations by a firm opposition to every Thing That may Lessen his Majesties authority and bring his Government into Contempt, and by Endeavouring to advance the real interest and happiness of the people of the province we Doubt not we Shall approve our Selves his Majes-

ties Loyall Subjects and worthy of the Trust he has been pleased to place in us; and by that respect which is always due to his Majesties representative, Show our Selves at all times Your Excellency's

most obedient and most humble Servants

Perth Amboy JA: ALEXANDER ROB^t H: MORRIS
Decemb^r 22^d 1748 EDW^d ANTILL JA^s HUDÉ
AND^s JOHNSTON PETER KEMBLE

To his Excell^y Jonathan Belcher Esq^r

[The following is appended after the names in the original draft, but there is nothing to indicate where it was inserted in the document as sent.]

Had your Excellency been Pleased to have kept these Traitors and Rioters at a greater Distance from the Person of the King's Representative, we Cannot Conceive that it Could have been in The least Prejudicial to his Majesties Honour and Service; But When men, who your Excellency knew stood indicted of high treason, were admitted into private Conference with your Excellency, and Suffered, unmolested, to Depart; it is not to be wondered, That They Think They have right to appear any where else with the Like Impunity; and how prejudicial the publick and open Appearance of these Daring people has been to his Majesties Authority, your Excellency can be at no Loss to know.

*Address of Members of the Council of New Jersey to
the King—on the present condition of the Prov-
ince.*

[From F R O America and West Indies Vol XIV, p 183]

TO THE KING'S MOST EXCELLENT MAJESTY.

The humble Address and Representation of
Several of the Members of His Majesty's
Council for the Province of New Jersey.

Most Gracious Sovereign

We, the Members of Your Majesty's Council, for the Province of New Jersey, think it our Duty to lay before Your Majesty the Present State and Condition of this Province.

We do, therefore, humbly beg leave to represent to Your Majesty that, in the year 1743, when Your Majesty was employ'd In carrying on a War against France & Spain, & in quelling an Unnatural Rebellion then Raging in Great Britain, great Numbers of men in this Province, not regarding that Duty of Allegiance which is due to Your Most Sacred Majesty, enter'd Into Combinations to set themselves up in publick Opposition to Your Majesty's Authority & Government, And by Artful false Tales, & wicked Insinuations, have Assotiated to themselves great numbers of the most Ignorant People of this Province; In consequence of these Combinations they have, By their Declarations & Practices, deny'd Your Majesty's Right to the Soil and Government of Your Plantations, Avowing that the Royal Grants thereof are Void & fraudulent; And have for three Years past, treated

Your Majesty's Name, Authority & Government here, with the most Contemptuous Sights; Breaking open Goals, appointing Officers, raising Money, marching about the Province In large Bodies, And plundering the Estates of those that do not joyn them; And, tho' many of these Disturbers were long ago Indicted for High Treason, Yet, such is their number & strength that it has not been in the Power of the Government to bring one of them to Trial.

We beg leave to Assure Your Majesty that your Council for this Province have done their utmost Endeavours to put a Stop to an Evil so dangerous in its Consequences, And were in expectation that the Assembly of this Province would have heartily joyned in supporting Your Majesty's Authority against the Treasonable Attempts of a Set of Rebels; But are concern'd to say that, notwithstanding the strong & frequent Recommendations of this Matter to them, and their Solemn Promises to strengthen the Hands of the Government, they have trifled with it for Three Years together, And now refuse to do anything agains' Them, which will give them so much encouragement that They may soon overrun this Province, and spread the Rebellion into Your Majesty's other Colonies.

The suffering these traiterous Proceedings to go on so long, with Impunity, has brought this unhappy Province into such Circumstances, that Your Majestys Authority & Laws cease to be a Protection to the Persons or Estates of your faithful subject here, who are threatened with Ruin & Destruction if they attempt to oppose these Daring People in the Execution of their Treasonable Schemes—

We therefore think it our Indispensable Duty, and Agreeable to the Trust Your Majesty has been Pleased to repose in us, to lay these Matters before Your Majesty, A more particular Account of which we have

Transmitted to Your Majesty's Principal Secretary of State, and to the Lords for Trade and Plantations.

We heartily & Sincerely wish Your Majesty a long and prosperous Reign; and are,

May it please Your Majesty

Your Majesty's most Dutiful Subjects and Servants

JA: ALEXANDER

ROBT H: MORRIS

EDW^r ANTILL

JA: HUDE

AND^r JOHNSTON

New Jersey Decem^r 22^d 1748. PETER KEMBLE

Address of Members of the New Jersey Council to the Duke of Bedford—relating to the action of the Assembly.

[From P. R. O. America and West Indies, Vol. XIV, p. 182.]

Council of New Jersey

May it Please your Grace

The Present unhappy state of this Province of New Jersey obliges us, Who are of his Majestys Council here, to Trouble your Grace with the Inclosed Representation to his Majesty, which we beg your Grace would Present.

Your Grace will see, by this Representation, that Numbers of men in this Province have sett themselves up Against the Kings Government, and by force Protect themselves Against the Laws, and that all the Efforts of the Government, to bring them to Justice, have been to No Purpose

We Should have been glad that this Rebellion had been Check'd, by a vigorous Interposition of our own Legislature, Which might easily have been Done, had

the Assembly come into proper Measures, but they have, now, after neglecting the thing for three years, Absolutely refused to Do anything Against the Rebels and Traitors who Continue to go Publickly about the Province, Exciting the Kings Subjects to Rebellion

What Motives induce the Assembly to Refuse to Strengthen the Hands of the Government, we Dare not take upon us to Determine, but their refusal Will certainly Prove a great Encouragement to these Rebels, who are, Already, very Numerous, and are Daily growing more formidable

We Humbly Requested M^r Belcher, his Majestys Governour of this Province, to Join with us in Laying this Matter before his Majesty, but he refused, saying he would try what another Sessions of Assembly would Do; But, for our parts, from our Knowledge of the Members of the House of Assembly, and from their Past Conduct in this Affair we are Satisfied that there is a great Majority of that House, that will not come into any Measures Effectually to Put a Stop to these Disorders.

We, Therefore, think it is our Duty to Lay this Matter before your Grace, without any further Delay That his Majesty make take Such Measures as he Shall think best, to Check the Progress of a Rebellion, that, otherwise, may endanger the Dependence of these Colonys on the Crown of great Britain.

We, herewith, Send your Grace the Minutes of the Proceedings of the Councill of New Jersey, So far as Concerns that affair, During a late Sessions of the Legislature here, Which Ended the Sixteenth Instant. And to Which, with the Minutes of Councill and Assembly heretofore Transmitted, we beg Leave to Referr your Grace, for prooff of the facts in the said Representation Settforth And More Particularly to the State of facts Entered in the Minutes of Councill of January the Eleventh one thousand seven hundred and forty seven Eight, And to the Addition thereto,

Entered in the Minutes of Council herewith, of December the Eighth Instant, And to the Minutes of Council of January 19th 1747-8, by Which it Appears that the said State of facts was Communicated To the Assembly here, and to the Minute of Council of December y^e 12th instant, by which the Substance of the s^d Addition, was also communicated to them—

All which is Most Humbly Submitted to your Grace,
by Your Grace's, Most Obedient &

Perth Amboy Most Humble Servants—

December 22nd 1748.

JA: ALEXANDER

ROB^t H: MORRIS

EDW^d ANTILL

JA^s HUDE

AND^t JOHNSTON

PETER KEMBLE.

To the Most Honourable
His Grace the Duke of Bedford
His Majestys Principal
Secretary of State

*Petition from the Council of Proprietors of East
Jersey to the King -in relation to the Rioters.*

[From P. R. O. B. T. New Jersey Vol VI. p. 811, and from Copy among the Papers
of Ferdinand John Paris in the Library of the New Jersey Historical
Society, Bundle X. No. 63.]

TO THE KING'S MOST EXCELLENT MAJESTY

The Petition of the Council of Proprietors of
the Eastern Division of New Jersey in
behalf of themselves and the rest of the
General Proprietors of the Soil of the said
Eastern Division and other his Majestys
loyal Subjects therein—

Most humbly Sheweth

That New Jersey among other Tracts of Land in
America was Granted by King Charles the Second to
His Royal Highness James Duke of York and by him

Conveyed to Lord Berkeley and Sir George Carteret in the Year 1664 who began to Plant and Improve the same; That Sir George Carteret being by a Partition Intituled to the Eastern Part of the said Province made Considerable Improvements and brought into the Province great Numbers of Inhabitants to whom he gave Lands as an Encouragement upon small rents

That the said Eastern Part or Division of New Jersey together with the Powers of Government were under the said Sir George Carteret afterwards Conveyed to Twenty four Persons who were called the General Proprietors and who went on in Planting and Improving the said Province at their own very great Cost and Charge.

That the said Proprietors Exercised the Powers of Government in the said Province from the time of their Grant in 1664 till the Year 1702 when they made a Surrender thereof to the Crown reserving to themselves the Rents and Soil and all things granted them as aforesaid the Government only excepted—

That her late Majesty Queen Anne of glorious Memory was graciously Pleased to Accept of the said Surrender and to take the said Province of New Jersey under her immediate Administration and Government and was also most graciously Pleased upon her Royal Word to Promise the Protection of the Crown of England to the Proprietors and People of New Jersey in all their Civil and Religious Rights—

That Your Majestys Petitioners their Ancestors and Predecessors have always demeaned themselves with great Submission to the Royal Authority and to the Government and Laws exercised in the said Province and hoped to have their Rights and Propertys maintained and Protected by those Laws to which they had so been obedient and Submissive

But so it is may it Please Your Majesty That great Numbers of Men taking advantage of a Dispute Sub-

sisting between the Branches of the Legislature of this Province and of a most Unnatural Rebellion at that time Raging in Great Britain Entered into a Combination to Subvert the Laws and Constitution of this Province and to obstruct the Course of Legal Proceedings; To which end they by their Practices by false Tales and wicked Insinuations artfully invented and industriously Spread Abroad endeavoured to infuse into the Minds of the People that neither Your Majesty nor Your Noble Progenitors Kings and Queens of England had any Right whatsoever to the Soil or Government of America and that Your Majesties and their Grants thereof were Void and fraudulent and having by those Means Associated to themselves great Numbers of the Poor and Ignorant Part of the People of this Province They in the Month of September 1745 began to carry into Execution their wicked Schemes when in a Riotous manner they broke open the Goal of the County of Essex and took from thence a Prisoner there Confined by due Process of Law; and have since that time gon on like a Torrent bearing down all before them Dispossesting some People of their Estates and giving them to their Accomplices Plundering the Estates of others who do not join with them and dividing the Spoil amongst them breaking open Your Majestys Prisons as often as any of them are Committed and rescuing their Accomplices from thence and Keeping daily in Armed Numbers and Travelling often in Armed Multitudes to different Parts of this Province for those Purposes, to the great damage and Terror of the People and trampling upon all Law and Authority so that Your Majestys Government and Laws have for above three Years last Past ceased to be that Protection to the lives and Properties of the People here which Your Majesty Intended they should be

And Your Pet^r do further Shew to Your Majesty that these bold and daring People not in the least

regarding that Allegiance which is due to Your Sacred Majesty have presumed to Establish Courts of Justice and appoint Captains and Officers over Your Majestys Subjects; to lay and Collect Taxes and to do many other things in Contempt of Your Majestys Authority to which they refuse to pay any Kind of Obedience—

That all the endeavours of the Government and Magistrates have to put the Laws in Execution have been hitherto in vain; for notwithstanding many of these Common Disturbers Stand Indicted for High Treason in Levying War against Your Majesty yet such is the Weakness of this Government. That they have not been able to bring One of them to tryal and Punishment

That Your Majestys Pet^r have long waited in Expectation of a Vigorous Interposition of the Legislature of this Province in Order to give force to the Laws and to enable Your Majestys Officers to carry them into Execution But the House of Assembly after neglecting the thing for a long time have at last refused to afford the Government any Assistance for want of which Your Petitioners Estates are left a Prey to a Rebellious Mob and Your Majestys Government Exposed to the repeated insults of a Sett of Traitors—

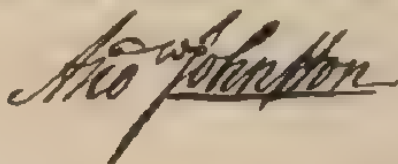
That Your Majestys Pet^r having in Vain applyed to the Legislature here for that Protection which they think themselves Intituled to as faithful Subjects to Your Majesty and having not the least hopes or Expectations that their Persons or Properties will be protected by their own Legislature Do find themselves under a necessity of laying this their Petition at the Feet of Your most Sacred Majesty the gracious Guardian and Protector of all Your faithful Subjects—

Your Petitioners therefore in behalf of themselves and the rest of Your Majestys faithful Subjects within this Province Do humbly beseech Your Majesty to take the Deploable Case of this Your Province of New-

Jersey into Your Consideration and to put a Stop to the said growing Rebellion therein by such ways and means as Your Majesty in Your great Wisdom shall think fit That Your Majestys Authority and Laws may be therein restored and preserved and Your Pet^{rs} and other Your Majestys Loyal Subjects may by and under them be Protected in the enjoyment of their Lives and Propertys.

And Your Pet^{rs} as in Duty bound shall ever Pray &c^t

By Order of the Council of Proprietors



President.

Perth Amboy December 23^d 1748

*Letter from James Alexander and Robert H. Morris
to Ferdinand John Paris—on New Jersey Riots.*

(From the Original Letter among the Papers of Mr. Paris in the Library of the
N. J. Hist. Society, compared with the Original Draft among Alex-
ander Papers, Vol. III, No. 14, in Rutherford Collection.)

Perth Amboy in New Jersey

December 23, 1748

Sir

We were in hopes that the Methods taken against the Rioters at the Session of the Legislature of this Province of Last Winter, appearing by the Last Leaf of the Bound Book of the Bill in Chancery against Elizabeth Town * * * * would have proved Effectual, but we are Sorry to Inform you that no more than *Twenty three* of the many hundreds of

Rioters, have Accepted of the Pardon Tendered them, And the Rioters during the Six Months Given them to Accept of it, & ever since, Continued in their former Courses, of plundering the Estates of those who did not Join them, And in Increasing their Numbers & Raising of moneys for their Defence

Considering the Resolves & Declarations of the house of Assembly of Last Winter, there was no Reason to hope (as their Duty was) Seeing these Means had Proved ineffectual, that They would, at their next Sitting, thereafter have fallen on more Effectual Measures to have Reduced Those Men, by Force, to an Obedience to the Laws, but that next Setting Ended on the 16th Inst. & no one thing done by them for that purpose, Tho' in the strongest Manner Applied to by the Governour & Council, Severally, for that purpose.

Their Minutes we hear They have Sent to be printed, which will Show the World their Refusal to do any Thing on these Several Strong Applications, which most Men think will have Just the Same bad Effect with the Rioters, as if They had Declared Expressly in their Favour, and we make no Doubt but that the Rioters will so Interpret it. Seeing they have, all along, given out that the Assembly were their friends, and their not Expelling of John Low, out of their house, who Owns himself to be one of the Committee of the Rioters & who was proved undenyably by the Proprietor's 2^d Publication to have Imposed a falsehood on the Assembly, and who it's greatly Suspected was the Adviser of the first Riott at Newark, gives great Grounds to Suspect there's too much Truth in what the Rioters Give out, that *They fear nothing from the Assembly*, which has been one Great Inducement to People to Join with Them, and this Refusal of the Assembly they will Show as Proof of that, which Gives great Reason to fear that people will, faster than ever, Inlist with them.

Inclos'd you have by one Ship a Letter from Six of the Members of the Council here to his Grace the Duke of Bedford Secretary of State & in another, Copy of this, by another Ship a Copy of the Same, with a Letter to the Board of Trade open, Each of which Contain a Representation to his Majesty of the State of this Province, in Relation to the Rioters & Counterfeiters & Copys of the Minutes of Council of Last Sessions Ending 16th Inst. so far as Concerns the Rioters.

Inclos'd you have also a Petition to his Majesty from the Council of Proprietors here.

We Leave it intirely to You, whether you will proceed on the Representation And Petition both together, or any one of them in Order for obtaining such Interposition as his Majesty or Ministers, shall think proper, if you intend to proceed on the petition only. then, We Submitt if the Secretary's & Board of Trade's Letters should not be delivered some Time before, & See what Effect these have, for possibly these alone, may have all the Effect we Desire.

The proofs necessary, you'll find Pointed to by the brief State of Facts Entered in the Minutes of Council of January 11th Last [1747] and in the Addition to it, in the Minutes of Council of December 8th Inst. [1748] whereof Copys are herewith. The former Minutes were, no Doubt Long ago Sent to the Secretary & Board of Trade, by his Excellency, Our Governour.

As to the Proof of the Facts, in the State of January 11th, as a Copy of that State was Deliver'd to the Committee of the Assembly (as was Ordered by the Instructions of the Council of the 11th and Reported to be done by the Minutes of Council of Jan'y, 19th 1747 &c) We think that, with the Being ready to prove Each Fact, & the Assembly's not Denying any of Them with the Turning to the Minutes of Council, & Assembly, therein Referred to, may be fully Sufficient, without the Depositions themselves

So far the proof of the State of Facts of December 8th 1748, the Minutes of Council and Assembly, & Acts past Last Winter, therein Referred to, are all before the Secretary and Board of Trade, & may be Turn'd to. And as to the Depositions therein Referred to the Substance of them was Entered in the Minutes of Council, when taken by them. and you'll find them in the Copy of the Minutes, herewith—

* * * * *

You'll Engage the Attorney & Sollicitor General in the Matter: And if they and his Majesty's Ministers be but made Sensible of the Insults on the Royal Authority here, The Refuseals of the Rioters of the pardon Tendered them & to Submitt to his Majesty's Government, & Denyals of the Rights of the Crown to the Soil of the Plantations, which Tends to Throw all Concern with, or Dependance on, the Crown of Brittain, We Doubt not but that they will soon think it a matter of more moment, than the Case of Porteous was at Edinburgh, which had no such Dangerous Tendency, & that was but one Riott, Whereas here we have Collected Proofs of *above Twenty*, and there might have been many more Committed, than there has been. Seeing the Rioters were Determin'd to Break all prisons, in which any of Them were Confined & for that Reason all process of Law, at the Suit of persons Injured by them, has been Stopt as useless.

If this Intention should Prevail, in this province, it will soon Spread into the Rest & may be the Spark that may raise a Flame in all the Plantations, which will Burn up & Destroy all Dependance of the Plantations on the Crown of Brittain, untill the Crown Expend some Millions to Reduce them

It was in the Power of the Assembly, now, in a few Weeks, to have Raised sufficient Forces, & Money to Pay Them, to bring the Rioters & Traitors to Justice, as will appear by the papers Sent; We Submitt to you

whether some good Lawyer should not be Employed to State the Case from the papers Sent & Referred to And Therein Putt the Question, whether it was not Criminal in the Assembly here, to Suffer the Continuance of the Treasons & Riotts here, for above three Years, And to Refuse doing that which was in their Power to Do, to bring these Traitors to Justice and what was that Crime?

We as little desire, as the Assembly, that the Crown should be at the Expense of Sending Forces from England to Quell the Growing Rebellion here, & yet, if long Delayed we Fear that there will be an Absolute Necessity of it, the Means that the Council thought would be sufficient, appear by their Resolves of December 8th Inst. How Long these will be sufficient we know not, after the Encouragement Given by the Assembly to the Traitors, that They will do nothing against Them—

But yet we should be glad that the first Means Used by the Crown, should be the Opinion of the Attorney & Solicitor General of the Crime, that the Assembly Men are Guilty of, by Voting for doing nothing against the Traitors & Rioters, after a three Years Continuance of their wicked Courses known to them, and that that Opinion should be Inclos'd in a Letter to the Governour, from the Secretary of State or Board of Trade, Ordering the Governour to Call the Assembly forth-with & to Acquaint them that, if they do not Effectually Strengthen the hands of the Government, to bring the Traitors & Rioters, Coiners & Counterfeiters to Justice, with the Utmost Speed, and by such Means as the Ministry shall Direct, that, then Force shall be Sent to bring them to Justice & to make Examples, in the first place, of the Assembly Men, who Neglected their Duty! We are in great Hopes, that this Method might still be Effectual, unless the Traitors & Rioters

grow much more in Number & Strength, before these Orders Come, than they have at Present—

* * * * *

You'll See, by the Minutes of Council now Sent, that the Rioters are Gott to Plundering the Lands of Mess^r Penns & of Dockwrae. The Council of Proprietors have Receiv'd with Gratitude, your Accounts of the kind & Effectual Advice & Assistance of Mess^r Penns on the Affair of the Councillours, if which Matter had not been Secured, we doubt not but, before this Time, the Rioters would have made themselves Masters of this Government, & have Carried all before them— We doubt not, but that Mess^r Penns will again give you all the Assistance in their power— M^r Bowles the Owner of Dockwrae's Land, we hear is dead, & who the now Owner is We know not, but probably M^r William Coxe, now Gone for London, can acquaint you, his Lands have greatly Suffered. The New Jersey Society have much Concern in this Matter as all the People, Seated on their Lands, have Joined the Rioters. The Speaker of the Assembly here, M^r Nevill now Sends a Copy of the Minutes of the Assembly of the Last Sessions to Lord Anson, who was an old Acquaintance of his, how far he can be of Service, We know not, but if the Governour should Delay Sending the Minutes, probably Lord Anson May Send you that Copy of the Minutes, M^r Nevill has promis'd to Give Us his Letter to Lord Anson to be Delivered by you, with our Open Cover, Including the Minutes of Assembly Which you may peruse before you Deliver with the Letter

As it has been Suggested that these Disorders are nothing but a Private Dispute Between the Rioters and proprietors, So we think it necessary to Observe to You that the proprietors have no other Concern in the Dispute than Persons Owning Estates in the Province which they think it their Right to have Protected

by the Laws of the Country and the Estates of others, as well as theirs, have been, and Continue to be, plundered by the Traitors and Rioters

We would therefore have you aware of that Piece of Artifice which We Expect the Rioter's Friends will Endeavour to Infuse into the Minds of the Ministry, in Order to prevent their Interposition

We Chose to have the petition to the King Signed by the President of the Council of Proprietors only, because two others of the Council of Proprietors are also of his Majesty's Council, Signing the Representation, Should you be Advis'd to have the Names of the particular proprietors to it, or to Change the Form of it, you may, and putt those Names to it who appear to be Complainants in the Bill in Chancery against Elizabeth Town:—Endeavour to have the Sending to Us, of the publick Orders that may be Given " "

We are Your most humble Servants

[Endorsed Publick

JA: ALEXANDER

rec^d 17. Mar. 1748-9]

ROB' H: MORRIS.

[Accompanying this was a " Private " letter, giving the grounds for their belief that Governor Belcher was acting in behalf of the " Traitors and Rioters," and cautioning M^r Paris against any acts or proceedings inimical to the Council or to the Proprietors.—ED.]

*Letter from James Alexander to John Coxe—relative
to the action of Governor Belcher.*

[From Copy among the Papers of Ferdinand John Paris in the N. J. Hist. Soc. Library, Bundle X, No. 65, and the Original Draft in the Alexander Papers, Vol. III, No. 20, in the Rutherford Collection.]

To John Coxe Esq^r at Trenton

New York Dec 31 1748

D^r Sir

I wrote to you the 17th Instant, and inclosed one of the 16th both wrote at request of the Gentlemen of the Council then at Perth Amboy; They would have been heartily Glad of your Assistance in the matter then wrote to you of, which they finished on Thursday the 22^d of this Instant, & they now Go by the Ship Antelope ready to Sail. I was desired by those Gen^l to Send you a Coppy of a Letter which they Conceived it their Bounden Duty then to write to his Excellency the Gov^r. They would have also therewith Sent the Lists for the Commissions of the peace and pleas of Middlesex and Somerset, whereof Coppies are herewith, and referred his Excellency to the Lists for Essex and Bergen, Before delivered to his Excellency by Chief Justice Morris; But that his Excellency had declared to Some of the Council, That he would take it very ill at their hands to recommend without Being ask'd; and if they did, That He would Commissionate other persons, and not one of those that Should be So recommended: or to that purpose. Which Declaration, those Gen^l of the Council thought very Extraordinary in its Nature, because his Excell^y by his Instructions (which we have all heard him often Declare he was in his Majesties presence Sworn to obey) is Bound

to appoint Judges Justices and Sheriffs by advice of Council, which is one of the Articles particularly agreed on to be inserted in the Instructions before the Surrender of the Government, and Consequently one of the Terms on which it was Surrendered, and duely observed by the Crown in all instructions ever Since, And as the Eastern Councillors would absolutely refuse to advise his Exc^t in Granting Such Commissions for the Western Counties, because the Western Councillors must be presumed to be best acquainted with the people there and most fit to advise in that matter, So the Eastern Councillors doubt not (Especially in this Time of Danger from the Growing Rebellion) but that for the Like reason, The Western Councillors will decline advising his Excellency in the appointment of any Judges Justices or Sheriffs in the Eastern Division unless they have the Sentiments of the Eastern Councillors on that head. Which Sentiments I was desired to acquaint you with, by Sending the inclosed Lists for Middlesex and Somerset, & Referring to those for Bergen and Essex, formerly delivered to his Exc^t by the Chief Justice, rather Chusing by this way to Serve his Majesty, Than by insisting on our right to recommend, to run the risque of Increasing the Confusions, already too great in The province.

His Excellency has very good reason at present to Grant New Commissions of the peace and pleas, in the Eastern Division, because Severals formerly appointed are dead, others refused to be quallified, and, by Depositions lately taken by the Council at Perth Amboy, and Communicated to his Exc^t, and by him laid before the Assembly, others appear to be Concerned with the Rioters and encouragers of them; for those reasons the Eastern Councillors hoped his Excellency would have advised with them for the Supplying and amending those things; and possibly upon receipt of the

Letter to him; whereof Coppy is inclosed, he may Still think it his Duty to advise with the Council on this head and as I doubt not the western Councillors will decline advising him, as to Eastern Magistrates, where they are unacquainted with the people, he may for that reason think it proper to Summon the Eastern Councillors; which they could not but look on as a Great hardship for men of their ages to be oblidged to Travell two, three or four Score Miles at this bad time of year, and at their own Charge, because of his Excell^{ty} Neglect to advise with Them during the five weeks that they were with him Lately at Perth Amboy, and because of his refusal at last to hear their advice on that matter, and because by this he may without Summoning them to Come So Great a Distance at this time of year, be informed of their opinions as to the point of Judges and Justices, which they Chose this way to give that he might not imagine himself Bound by his promise before mentioned to refuse them, because we recommended Them without being ask'd.

As to the Proclamation proposed in The Letter, our Sentiments as to the form appears in it. The Names of the persons appear by the Attorney Generall's List of persons indicted of high Treason, which is N^o 32 of the papers Numbered by the Council last winter, Subtracting therefrom the Names of Edmond Bainbridge, Samuel Price, Dollings Hegeman Jun^r and David Brearly, who only have Complied with the Terms of the Pardon of all that were Indicted for high Treason. To those are to be added the Names of the persons known by Depositions N^o . to . To have Broke Trenton Gaol last winter and rescued David Brearly, therein Committed for high Treason, to those ought also to be added the twelve persons Known by John Styles Deposition taken by the Council on Dec^r 1st last, of those who Broke open the Gaol of Essex and res-

cued Amos Roberts from thence on the 28th of November last.

The Said Gen^l of the Council doubt not but that you'll use your Endeavours in the most prudent way, and with the least offence possible to his Excellency, to get New Commissions Issued pursuant to the Said Lists, and for Issuing Such proclamation, without putting Them to the Trouble of attending his Excellency at Burlington in This Bad Season of the year.

I had almost forgot to tell you That as to the proclamation his Exc^y was the very first person who proposed it in private Company to Some of the Gentlemen of the Council and Desired Them to think of it.

I am &c

JA: ALEXANDER

To John Coxe Esq^r at Trenton

P. S. as to our representation to his Majesty you'll find it all & much more in The Minutes of Council of the last Session at Perth Amboy, which I hope you'll read the first time you go to Burlington.

A State of Facts Concerning the Riots and Insurrections in New Jersey, and the Remedies Attempted to Restore the Peace of the Province.

[From P E O R T New Jersey Vol VI. (i 15)]

A BRIEF STATE OF FACTS,¹ concerning the Riots & Insurrections, in New Jersey & the Remedys, attempted, by the Government

¹ The within State of Facts is not drawn up now, for any particular purpose but was drawn up, & afterwards approved, by his Maj^{ty} Council, in New Jersey. The former part of it in Jan^y 1747, & the latter part of it in Dec^r 1748, from Original Papers which had been layed before the Council & Assembly there. And Com^{rs} of Council were appointed & the within State of Facts was Ordered to be layed by said Com^{rs} of Council, before the Assembly, at free Conferences which were demanded, in Order to have induced the Assembly to come into Measures to strengthen the hands of the Government in New Jersey. Recd from M^r Paris.

& the several Branches of the Legislature, to put an End to them, & to restore the Peace of the Province.

In the years 1744 & 1745, a Difference unhappily subsisted, between the Branches of the Legislature of this Province: It no Way concerns the Matter, who was right, or who was wrong, in the Points in Difference, but the Consequence thereof, in Fact, was, That the Governm^t remained unsupported, & divided, & thereby, was much weakened.

In the Year 1745, a most wicked & unnatural Rebellion broke out, in Great Britain, by the Adherents of a Popish Pretender to His Maj^{ty} Crown, while the Nation was at the same Time engaged in War, with two Potent Nations, France & Spain, w^{ch} rendered it improbable that any Force could be Spared, from Great Britain, to quell any Rebellion in America.

By the Affidavits & Papers herein referred to, it will appear, That a Number of Evil minded Men taking Advantage, of that divided & weak State of the Governm^t of this Province, & of that Time of War & Rebellion in Gr. Br.) entred into a Combination, & Agreement, to obstruct the Course of legal Proceedings, & to protect themselves from His Maj^{ty} known Officers, & from the Process of the Law, in every Case, let their Crimes be ever so high; And, in Execution of this Scheme, it appears

That, on the 19th Sept^r 1745 100. Men, armed with Clubs, Axes & Crow Bars, came, in a riotous & tumultuous Manner, to the Goal of the County of Essex, &, having broke it open took, from thence, One *Samuel Baldwin*, committed on an Action of Trespass wherein he had refused to give Bail, or enter an Appearance.

That, these riotous People, then, boasted of the great Numbers they could bring together, on any Occasion, & gave out many threatening Expressions

ag^t the Persons that sho^d endeavour to punish them for this their Crime; Saying, if any of them were taken, they would come to his Relief with twice the Number they then had, & bring with them 100 Indians.

Two Justices of Essex, with the Undersheriff, according to their Duty, made a Record on their View, ag^t 27. of the Rioters, known to them, & many other Evil doers & Disturbers of the Kings Peace, to them unknown; Which was returned into the Supream Court, & Process issued from thence ag^t the Delinquents.

This Matter being layd before the late Gov^r he was so justly apprehensive of the dangerous Consequences, of so open & notorious a Contempt of His Maj^{ty}s Authority, & the Laws of the Land, that he thought, the Aid of the Legislature necessary to prevent them & therefore recommended, in the strongest Terms, to the then Assembly the granting such Aid, by his Speech to them on the 28. Sep^r 1745; But, so it hapned, that the then Gov^r & the Assembly differed in Opinion as to that Matter, As by the said Speech, the Assembly's Answer to it on the 3^d of Oct^r & the Gov^rs Reply, on the 15th appears.

And the s^d late Gov^r was also pleased on the 18th of Oct^r 1745, by the Advice of His Maj^{ty}s Council, to issue his Orders, to His Maj^{ty}s Att^r Gen^l to proceed, with all convenient Speed, to prosecute, by Information, or other lawful Methods, the psons concern'd in the s^d Riots: And the Gov^r at the same Time, by the Advice of His Maj^{ty}s Co^l issued his Warrant, directed to the Sheriffs of the Co^{ty} of Essex, commanding him, to make diligent Search for, & to apprehend, the s^d Rioters, & thereby farther command^d all Officers, & other His Maj^{ty}s Leige Subjects, to be aiding & assisting, to the s^d Sheriff, in the Execution of the said Warrant.

On the 15th of Jan^r 1745, the Sheriff of Essex, by Vertue of the Gov^rs s^d Warrant, & in Obedience to the

Process of the Supreme Court, issued upon the s^d Record, arrested & took *Rob^t Young, Tho^s Sarjant, & Nehemiah Baldwin*, three of the Persons that stood convicted, by the Record of View before ment^d On the 16th of Jan^{ry} as he was carrying the s^d Baldwin before One of the Justices of the Supreme Court, agreeable to the Commands of the Govⁿ Warrant, he, & the People whom he had called to his Assistance were assaulted, by a great Number of Men, armed with Clubs & other Weapons, who, in a most violent Manner, rescued & carried away, the Prisoner, notwithstanding all the Sheriff & his Officers could do to prevent it. The Sheriff then returned to the Goal, in Order to Secure the other two Prisoners, & being Colonel of the Militia, he had posted a Guard, of 30. Men, at the Goal armed with Firelocks for that Purpose.

It appears that, at 2 o'clock in the Afternoon, great Numbers of People came together in a riotous & tumultuous manner in the Town of Newark, that they pay'd no Regard to the Commands of the Magistrates to disperse, or to the Procl^a made to them in the Kings Name, according to the Statute of the 1st of George, but continued together.

It appears that Coll Chetwood sent two Captains, who had the Command of the Newark Companys, with their Drums, to the People, so assembled who, accordingly went, & required those Men that belonged to their Companys, to follow the Drums, but none regarded those Commands.

It appears that one *Amos Roberts*, a principal leading Man among these Common Disturbers, at that Time, mounted his Horse, & called out, *Those who are upon my List follow me*, Which all, or the greatest Part, accordingly did, being then about 300. in Number.

It appears that, the s^d Roberts & his Accomplices, met & armed, as before, came to the Goal in a violent

Manner, & having beat & broke thro' the Guard, & *struck the Sheriff* several Blows, they broke open the Goal Doors, & took from thence the two Prisoners above mentioned, & one other, confined for Debt, & then, they gave it out, that if they had stayed till the next Day, they should have had three Times the Numbers.

Upon this *second* Riot, the Sheriff & those Justices, then present, made a *Record* thereof, on their own View, *aj' the s^d Roberts & 57. Others* by Name, Inhabitants of the Countys of *Essex & Morris*, & Others, to them unknown, to the Number of 300, at the least.

On the 4th of *March* 1745, the late Gov^r in his Speech to then Assembly, informs the Legislature of the last mentioned Insurrection, & at the same Time tells them, he had done what was judged sufficient, to put a Stop to, so growing an Evil, but that it was without the Effect intended; And, therefore, recommended that Matter, to their serious Consideration.

A Militia Bill was prepared, & passed, by the Assembly, & sent up to the Council for their Concurrence, who also passed it on the 15th of *April* 1746, & which was, soon afterwards, assented to, & enacted, by the then Gov^r But, the Council, on considering that Bill, conceived that further Remedys were necessary to restore the Peace of the Province, & to prevent the like Mischiefs for the future, & therefore,

A Bill was brought into the Council, nearly in the Words of the Statute of Great Britain of the first of King George, against Riots, expressing the Difference of the Occasion thereof, &, instead of being perpetual, as in Great Britain, proposed it to be only in Force for 3. Years; Which Bill was passed by the Council, on the 24th of *April* 1746, & sent down to the Assembly for their Concurrence.

The Gent^l of the Co^l considering that most of the People concerned in the s^d Riots, are an ignorant Peo-

ple, & greatly imposed on, by a few wicked & designing Men, conceiving that a *Gen' Pardon*, for the Crimes past, together with the s^d Riot Act, wo^d be the easiest & most effectual Method, to restore & secure the Peace of the Province, & knowing that Mercy to Criminals, ought to flow from the Crown, Some of them, therefore, interceded with the then Gov^r to grant a *Gen' Pardon*, w^{ch} he seemed inclinable to do, witho^t any other Condition than, that those who sho^d be entitled to the Benefit thereof, sho^d take the Oaths to His Maj^{ty} appointed by the Laws of New Jersey, & give their own single Bonds to be of the good Behaviour; And accord^{ly} the Form of such Act of Gen' Pardon was drawn, & that Dra^t approved of by him, And the Co^{ll} had Reason to bel^{ie} he would have granted the same, upon the Assembly's passing a Bill to the Purpose of the s^d Riot Act, And requesting him to extend His Maj^{ty}'s Mercy to the Criminals; Which Dra^t was also communicated to some of the Members of the Assembly, & they were acquainted with the then Gov^r's Intention on that Head.

On the 26th of April 1746, M^r Nevill, One of the Gent^l of the Assembly to whom the s^d Dra^t & Intentions of the then Gov^r had been communicated, moved the House of Assembly that they wo^d be pleased to apply to the then Gov^r either by a short Address or Mess^g as they should think proper to extend His Maj^{ty}'s Mercy by a Gen' Pardon.

On the 1st of May 1746, the House of Assembly, upon the second Reading of the s^d Bill for preventing Tumults & riotous Assemblys Ordered it to lye on the Table, to be reconsidered at the *next Session*, & ordered it to be printed in their Minutes, w^{ch} was done accordingly.

By Affid^{ts} taken May 3^d & 8th 1746, It appears that the Infection of the Riots was spreading into West Jersey; For that the People settled on that Hundred

thousand Acre Tract, in the County of Hunterdon, belonging to those Proprietors in & abo^t London, called the West New Jersey Society, within a fortnight then last past, had two great Meetings, in Order to stand by One Another in Defence of their Poss^{ions} ag^t the s^d Prop^r (tho' by the Paper C. N^o 8, it appears that those People do own the Societys Title to that Tract, & that they themselves had no Pretence of Right to the same; That they had agreed to a Paper, for that Purpose, & about 70. had signed it, at their Meeting on the 26th Day of April; That an Article was, That if any Person, seated on the s^d Tract, sho^d refuse to sign that Paper, he sho^d be dispossessed, by the Rest, & his Improvem^t sold, by them to the highest Bidder, That sundry People, from Newark, & Eliz^a Town, were reported to have been present at the last of those Meetings, That, about Ten or a Dozen of them observed to be riding, continually, backwards & forwards, to & from Newark, Elizabeth Town & Cohanze^y, where the Society have other Lands, & it was believed in Order to unite all, in One Combination.

The late Gov^r Lewis Morris Esq^r having Departed this Life, on the 21st of *May* 1746, the Governm^t devolved upon Jn^o Hamilton Esq^r who appo^{inted} a Meeting of the Assembly, & on the 28th of *June* 1746, by Advice of His Maj^{ty}^s Co^{ll} he made a Speech to them, Sett^{le} forth, in strong Terms, the dangerous Consequences of the Proceedings of the Rioters, & the Necessity of the Aid of the Legislature in that Matter.

By this Deposition it appears that on the 3th of *August* 1746, sundry Persons, in the County of Bergen, to the Number of twelve, went, armed with Clubs, to the House of One *Edu^d Jeffers*, in the s^d County who was seated there, by Lease from the Prop^r of the Eastern Division of New Jersey, on two Hundred Acres of Land, which he had built & improved upon; Which Persons so armed, threatened to

club him out of Poss'ion, unless he came to some Agreem^t with M^r Vallean, one of the twelve who pretended Title to the s^d Land; & the s^d Jeffers, being apprehensive that they would execute their Threats ag^t him, & turn him & his Family out of Doors, consented to take a Lease from the s^d M^r Vallean, for 100 Acres of the s^d Land, containing his House & One half of his Improvem^t & without the Consent of the s^d Edward, otherwise than by the Threats aforesaid, She gave a Lease of the other 100 Acres, containing the other Half of his Improvements, to one John Helms, another of the twelve.

This Deposition informs, that on the 9th of *Sept^r* 1746, A Number of People, sayd to be of those called the Newark Rioters, had, in a forcible Manner, turned out of Poss'ion, sev^l People, that were settled on a Tract of Land, in *Essex County*, called John Burnet's 2000^d Acre Tract, & put other People in Poss'ion of the Places they were settled on, & that sundry of the People guilty of those Riots, were indicted by the Grand Jury of the County of Essex, at the Court which began there, the 4th *Day of Sept^r* 1746.

On the 9th of *October* 1746, President Hamilton called the Assembly together, at Perth Amboy, & on the next Day sent a Message, to them wherein, among other Things, he refers them to his s^d Speech of the 28th of June; by which the Consⁿ of the State of the Province in Relation to the Riots was strongly recommended.

On the 2^d *Day of December* 1746, a Multitude of People, about 100. in Number, in a violent & riotous manner, broke open the Goal of the County of Somerset, & rescued from thence One *Abraham Anderson*, who then there remained in Custody, by Vertue of a Writ which issued out of the Supreme Court of this Province, at the Suit of the Ex^rs of Dan^l Coxe Esq^r dec^d. Most of those Rioters were unknown in Somerset

County, So that only five of them were indicted for that Crime, in April Sessions following, by the Grand Jury of the County of *Somerset*, About 30. of the s^d Rioters had come from Essex Co^y Back of Newark, Some of whom, on their Return being asked the Reason, why they proceeded, in that Manner, in breaking open Goals &c.¹ Answered, That they did not go on Headlong; but they had Advisers in what they did.

The s^d Rioters from Essex, behind Newark, in their s^d Return, from Somerset, formed a Design of coming to Perth Amboy, to pull down the House of Sam^l Nevill Esq^r One of the Judges of the Court of Common Pleas for the Co^y of Midd^x, & one of the Representatives of the Assembly, if the s^d Sam^l Nevill sho^d refuse to deliver up, to Tho^s Clauson, certain Bonds, wherein the s^d Clauson stood bound to the s^d Nevill, for the Paym^t of consid^{ble} Sums of money; which Design some of them were for putting in Execution, immediately, but Others thought proper to deferr it, till the s^d Bonds were first demanded of M^r Nevill, & if M^r Nevill refused to deliver up the Bonds, that their Design sho^d then, be put in Execution; and accordingly on the 5th Day of *December* the said Clauson did come to the said M^r Nevill, & demand of him the Bonds aforesaid, Saying, He would have them, if he dyed for it.

On the 8th of *Dec^r* 1746, the President called together His Maj^{ty}^s Councill, & layd before them the Depos^{it} concern^g the Design ag^t M^r Nevill, who thereupon advised his Honour to issue his Warrant, to the Sheriff of Midd^x, to apprehend the s^d Clauson, or any Persons that sho^d assemble themselves to execute their Threats ag^t M^r Nevill, & if needful, to raise the Posse of the s^d County, & to arm & array them in a warlike manner, which Warrant was accordingly issued.

The Presid^t was pleased, at the same Time, by Advice of Council, to issue a Proclamation in his Maj^{ty}^s

name, Forbidding all P'sons to joyn with the s^d Rioters, or to aid, assist counsel, or receive them, or any in Combination with them; And commanding the Sheriffs of the sev^l Countys within the Province that in Case any Number of Men should unlawfully, assemble themselves in any of the Countys to the Disturbance of the Kings Peace, that they should raise the Posse of their resp^{ive} Countys, to suppress such un^lful Assembly.

On the 30th Day of Mar^{ch} 1747, between the Hours of 10. & 11, at Night, A Multitude of People to the Number of abo^t 30, came in a riotous Manner with Clubs, to the House of *Joseph Dalrymple* in Morris County, & after demand^d the Opening of the Door, & using sev^l Threats, they with Force broke open the s^d Door, & about 12. of them entred therein, & ord^d the s^d Dalrymple, & Wife, & Child, abo^t one Year old, to go out of the House, & upon their Refusal to obey, they the Rioters threatned to turn them out by Force, & began so to do, but the Wife of the s^d Dalrymple, being then, big with Child, & near lying in, & they being persuaded of the Danger of her Life, if they sho^d do so, they, then, desisted from that their Design. The Wife of the s^d Dalrymple being in s^d Condition, after the Terror and Fright she got by the forcible Entry & Threats afores^d was so very ailing & indisposed, as scarce not to be able to keep out of Bed.

By these Depos^{es} it appears, That on the sth Day of April 1747, a Multitude of People about 30, in Number, came, arm'd, with Clubs, to the House of the s^d *Joseph Dalrymple*, & broke it open, & turned the s^d Joseph, his Wife & Child, out of the House, & all their Goods, & delivered Poss^{ion} of the s^d House & Land, to two of the s^d Rioters.

By these appear, *Designs formed* by the same Rioters for turning *many other* People out of Poss^{ion} by Force. It appears that they had *erected Courts* of

Judicature, & *determined Causes*, by hearing One Side, but intended for the future, to hear both Sides: That they had taken upon them to choose their *Militia Officers*. By these appears how they buoy themselves up, with their Numbers, Friends & Strength, not only in New Jersey, but in New York, Long Island, Penins^a & New England; and that they are not afraid of any Thing the Governm^t can do to them: And give out that, from their Numbers, Violences & unlawful Actions, its to be inferred that, surely they are wronged & oppressed, or else they would never *rebell ag^t the Laws*. By these appears Information, That the People on the Societys Tract, had made a firm Agreement, to defend all their Farms there by Mobb, and that *Maidenhead*, & great Numbers of others, had joyned in firm Engagements to stand by one another to Death, tho' they have no Pretence to any Right but Possion & Improvem^t: And that they were resolved sho^d they be opposed by Fire Arms, to take up Fire Arms to defend themselves That they would not mind either the Gov^r or the King himself, if of a different Way of thinking from them; And that the King himself was unable to quell Mobs in England, any other Way than by granting their Desires.

By the Order of Presid^t Hamilton, the Assembly met, at Perth Amboy, on *May 6th 1747*, when, by a Message (by Advice of Coⁿ) he, in very strong Terms, recommended to them the Consⁿ of the distracted State of the Province, occasioned by the many Riots; and layed before them the sev^l Letters & Papers concerning them To w^{ch} the Assembly ans^wd on *May 9th* As by their Minutes appears.

By these appears, That *John Bainbridge* one of the P^rsons indicted for the breaking open the Goal of Somerset, was, by Process issued out of the Supreme Court, taken & imprisoned, in the Goal of the City of Perth Amboy; and that, on the *27th of July 1747*, a

Multitude of People to the Number of about 200, came to the Goal in a riotous Manner, armed, with Clubs, in Order to break open the Prison, & rescue the s^d John Bainbridge; That the Mayor, the Sheriff, & other Magistrates endeavoured to dissuade them; That the Sheriff read the Proclamation ag^t Riots, directed by the Act of 1st Geo 1st Upon which, One of the Rioters knocked him down, & gave him a Wound on the Head three Inches long; Another of them struck at the Mayor of the City, & then broke open the Doors of the Prison, & took out the Prisoner & went off huzzaing; That the Magistrates & Sheriff, present, made a Record of the s^d Riot; By these it also appears, that the Rioters gave out, that if they had been shot at; they would have sent to a Party, they had left out of Town, & Arms, Ammunition & Provisions, & levelled Amboy with the Ground, & destroyed the Auth^y & drove them into the Sea.

By these it appears, that at the Supreme Court, which sat at Perth Amboy, soon after the s^d Riot, the Grand Jury indicted upwards of 30. of these Rioters, for *High Treason*, for levying War ag^t the King, within the Statute of 25, Edw^d 3^d 1. 2. agreeable to Lord Coke's Exposition 8th Instit. 11, & the Case of Dammerly, in the latter End of Queen Ann's Reign, for riotously pulling down Doctor Burgess's Meeting House, to these might have been added Keeling 70, &^c the Case of breaking Prisons, and pulling down Bawdy Houses.

About the latter end of July 1747, One John Fenix, being in Custody in the Goal of Somerset, on an Action of Trespass, at the Suit of Andrew Johnston Esq^r about 40, or 50, Men appeared, about the Goal, armed, with Clubs &c, who broke open the Prison, Doors, & carried off the s^d John Fenix; but no P^{son} knowing any of those Rioters, no Prosecution has been ag^t them.

On the 10th of Aug^r 1747, the Sheriff of Morris County, by Vertue of a Writ of Our Lord the King, took & arrested one James Hampton, who refused to give Bail, & upon the Sheriffs conveying him to Goal, he was beset by a Number of Men (Part whereof are named) armed with Clubs, who rescued the s^d Prisoner, out of the Custody of the s^d Sheriff.

His Excell^{cy} Our Gov^r Belcher having arrived in this Province, in the Beginning of August 1747, by his Order, the Assembly met at Burlington, on the 20th of August, who by his Speech, to the Co^l & Assembly, strongly recommended, to them, the State of this Province, in Relation to the Riots. To which, the Council & Assembly severally answered; As by their Minutes of 20th of August.

On the 23^d of Sept^r 1747, One James Hampton, being in Custody, in the Goal of the County of Morris, by Process on an Indictment of that County Court, about 30. Men armed with Clubs broke open the s^d Goal, & rescued from thence the said James Hampton.

We have been credibly informed that *two Riots* have been committed in the Co^l of *Essex*, since his Excell^{cy}s Arrival; In the first of which the Goal of that County was broke open, & a Prisoner therein was rescued by the Rioters. At the Second Riot, that a Private House was broke open, & a Quantity of Staves was taken by the Rioters from thence; but we find no Depos^{rs} concerning those two Riots, in the Papers communicated.

On the 18th of Nov^r the Gen^l Assembly mett, & his Excell^{cy} made a Speech to the Co^l & Assembly, strongly recommending the State of this Province, concerning the Riots, to their Consideration.

On the 4th Day of December 1747, One *David Brearly* who stood indicted for high Treason, being taken up, on Process thereon, out of the Supreme Court, & in Custody in the Goal, of the County of

Hunterdon, in the Borough of *Trenton*, above 20. men came, armed with Clubs, &c to rescue the s^d Prisoner from thence, & tho the High Sheriff represented to them that the Prisoner was in his Custody for high Treason, & that the rescuing him wo^d undoubtedly, be High Treason, Yet, they proceeded, & did break open the s^d Goal, & rescued the s^d Prisoner; Amongst these Rioters was one *Edm^d Bainbridge*, ag^t whom the s^d Sheriff had also process of High Treason, whereon he arrested him & acquainted the Rioters with the s^d Process, & told them it would be high Treason in them to rescue him; but notwithstanding that, they also rescued him.

By these it appears, that the Rioters had formed a Design of coming to *Burlington* (where the sev^l Branches of the Legislature are sitting) in a Body on the 16th Day of *December*, & that Advertisements, to give Notice of that Design to the Rioters, had been set up, in sundry Places, requiring their Attendance, for that Purpose.

The Co^l & Assembly, on Notice of that Design, in a free Conference, agreed to make Resolves of their sev^l Houses ag^t it, & to send them to the Sheriffs of the sev^l Countys, from & thro' which, the Rioters were likely to come, to publish, Which was accordingly done, And we have been credibly informed, that many of the Rioters were on their Way, coming, but, on Notice of s^d Resolves, returned.

Committees of Co^l & of the House of Representatives, after three meetings, in a free Conference, to consider of Ways & Means, for suppressing the Ryots & present Disorders in this Colony, on the 15th Day of *Jan^y* 1747, were unanimously of Opinⁿ that it will be necessary that the Legislature sho^d interpose, in Order to restore the Peace of the Province, & give Force to the Laws of the Country, which have been most notoriously violated, for which Purpose were of Opinion,

that effectual Measures sho^d be taken, by the Legislature, to strengthen the Hands of His Maj^{ty} Governm^t so as to enable them to carry the Laws of the Land into Execution, that his Maj^{ty} Subjects may again enjoy the Benefit & Protection of them, & that a proper Act or Acts sho^d be prepared & past for preventing the like intestine Troubles for the Time to come.

And the Com^{ees} further agreed that, the Gent^{en} of the House of Assembly sho^d propose it, to their House, to prepare & bring in a Bill, or Bills, for these Purposes; Which joynt & unanimous Opinion of the s^d Committees was reduced to Writing & soon afterwards reported to, & confirmed, & agreed, *by both Houses*, As by the Minutes of both Houses of Jan^y 19, 1747 appears.

That the Com^{ees} of the House of Representatives, on the 23^d Day of Jan^y 1747, amongst other Things reported & declared it as their Opinion, that Provision should be, from Time to Time, made, as Occasion may require for defraying the necessary Expences that may arise by the legal Calling the Forces of this Colony together, for the repelling and suppressing Invasions, Insurrections & Rebellions, or for the Assistance of the Neighbouring Colonys, or upon any necessary Occasion whatsoever, which Report was agreed to by the House of Assembly, As by their Minutes appears.

On the 18th of Feb^ry 1747, His Exc^t gave his Assent to two Acts that had before been past by the Co^l & Assembly viz^t An Act for the *suppressing & preventing of Riots, Tumults & other Disorders*, within this Colony, by w^{ch} Penaltys or Imprisonm^{ts} are enacted to be inflicted upon Persons that shall be guilty of any of the like Disturbance for the future, & ano^r Act intituled, An Act for avoiding Actions of Slander & for Stay of Proceedings until the 1st Day of Octo^r 1748, in other Civil Actions ag^t the late Rioters, by w^{ch} Acts,

its amongst other Things declared that, within three Years last past many & great Riots & Disorders had been comitted, within this Colony, by Multitudes of People, on Pretence that they laboured under Grievances, & that the sev Branches of the Legislature then mett & assembled together, heartily disposed to enquire into the Grievances & Oppressions, & to give Relief therein as far as in them lay, upon mature Deliberation did not find but that the M^{res} complained of are remedyable in His Maj^{ty} Courts of Justice of Law & Equity, w^{ch} were open to all, & to which the Complainers might have had Recourse.

The Day before, to witt, the 17th Day of Feb^r 1747, His Ex^{ty} the Gov^r passed His Maj^{ty} most gracious Pardon, Entitled, An Act to *pardon* the Persons guilty of the Insurrections, Riots & Disorders raised & committed in this Province; Which was thankfully accepted by both Houses of the Council & Representatives, which was a full Pardon, with Proviso that those who had been indicted, recorded or prosecuted sho^d within Six Months take the Oaths to the Governm^t prescribed by the Laws of this Province, & give their own single Bonds, severally in the sum of 100^l to keep the Peace for three years, restore the Poss^{ions} they had forcibly taken & detained, & pay the Fees of their Prosecutions, & as to such as stood indicted or might be indicted of high Treason, a Stay of Prosecution was granted, until His Maj^{ty} Pleasure should be known, upon their complying with the Terms before.

As His Maj^{ty} was, at that Time, engaged in a heavy War with France & Spain: So that, if Force had then been raised to bring those daring men to Reason, His Maj^{ty} Enemy^s might have taken Advantage of the Disturbances that, from thence possibly might have arisen, & as no Force from Britain could reasonably be then expected, to reduce these Disturbers of the

Peace to their Duty to His Maj^y & Obedience to his Laws, for these Reasons the Co^{ll} thought it most prudent, at that Time, to fall in with those soft Measures, in Hopes, by their Lenity, to draw those Disturbers into their Duty & Obedience to the Laws.

But those Hopes were blasted, for that, tho' about 200, of the Rioters appeared before Uzal Ogden & Matthias Hethfield of Essex County (two of the Comm^{rs} app^{ntd} by his Exc^y pursuant to the said Pardon to adm^{str} the Oaths, & take the Bonds afs^d) within two Days before the Expiration of the six months ment^d in the Pardon afs^d. And tho' it seemed the Inclinations of most of them to accept of the Pardon, on the Terms prescribed, Yet, such was the Influence of some of their Leaders upon them, *that no more than 14 Persons* among them, did accept of the said Pardon, As by the Letter of Ogden & Hethfield referred to, appears.

By the Att^y Gen^l's Certificate it appears that *no more than Nine Persons* have made any Application to him, for the Benefit of the s^d Pardon, & as the Fees of Prosecution were payable to him, no more than those 9. Persons who have been prosecuted, have intituled themselves to that Pardon, Yet those who have accepted & complied with the other Provisoos in the Pardon ment^d its conceiv'd are intituled to more Favour than those who have persisted without any Compliance.

By the Depos^{ns} of Uzal Ogden & John Styles referred to, on margin, & L^{re} to His Exc^y from the Sheriff of Essex, it appears that, on the 28th Day of Nov^r last, One *Amos Roberts*, being committed to the Goal of Essex County at Newark, upon a Process of High Treason, issued out of the Supreme Court, that same Day, a Number of People, between 20. & 30. came to the Goal, & demanded of the Goal Keeper the Keys, to let the s^d Amos Roberts out, which he refused & told them that the s^d Amos Roberts was committed upon a

Process of Treason & forewarned them from meddling with the Goal, but notwithstanding the so informing & forewarning them, they broke open the Goal, & rescued the s^d Amos Roberts therefrom; Twelve of the Persons guilty of that Rescue are named in the s^d Deposⁿ

By these Deposⁿ it appears that on the 29th Day of Nov^r last, the s^d Amos Roberts & others of the Rioters at Newark, had a meeting at the House of the Widow Hampton at Rahway, only nine Miles distant from Perth Amboy, the Place where the Legislature is now sitting, & that they rid openly at noon Day, from Newark there, & met with other Rioters from Somerset & Hunterdon, in Order to enter into new Engage^{mt} for standing by One Another & levying Money for their Defence, & for dividing into Wards & appointing Officers & the Persons were understood to be a Com^{tee} of the Rioters in thesev^l Parts of this Province, It appears that, that Meeting was some time before that app^{ed} & that nearly the same Persons had had two sev^l Meetings, at the same House before. The One on the Fourth Tuesday of Sept^r & the other in the First or Second Week of Octo^r & that at the last Meeting they used Argum^{ts} & Endeavours to draw other Persons into their Engagements & Combinations, that the s^d Roberts sayd, the Persons then met *were all his Children.*

By this Deposition it appears, that about, or rather before, the Middle of November last, the s^d Amos Roberts went up to the Rioters in Hunterdon County, that in going, he sayd he was going to settle the Peace of the Province, that it was reported he had sev^l Meetings with the Rioters there, & had added two new Persons to their Com^{tee} who are named— By this Deposⁿ also appears, some of the Means that the Rioters use, to bring & keep People into their Combinations, to witt, Threats to pull down their Houses, if

they did not joyn them, & the Fears of Death if they fell from their Engagem^t with them.

By these Depositions appears, more of the Rioters Endeavours, & Ways of drawing innocent People, into their Combin^t & that the Rioters pay Taxes to their Com^{tee} That One Rioter had sayd, he had payd so much from Time to Time, as with a Tax of 13^s then layd on him, would have been suffic^t to have bought his Plantation By this Deposⁿ also appears a continual Destruction & Waste of Timber, carryed on by the Rioters for three Years past, upon some Thousands of acres of Land belong^t to P^{rs}ons therein named, which before that, were the best timbered Lands in New Jersey, but now, none good left on them, that a Team can easily approach— By this & the other Dispositions it appears that the Rioters of particular Places, have got Captains over them who they call by that Name, & that the said *Amos Roberts seems to be the Chief Captain* of the whole Rioters in this Province.

It appears not to the Council, that any One Possⁿion forcibly entred upon, & detained by, the Rioters, dur^g these Disturbances, has been restored to the Owners, pursuant to the Tenor of the Pardon afs^d & they have good Reason to believe that no One has been restored, but all are Forcibly detained to this Day.

On the 1st Day of this instant December, the Co^{ll} of Prop^r of East New Jersey, presented a Mem^t & Representation to the Gov^r Co^{ll} & Assembly, Setting Forth the miserable State of this Province, for that the Laws have, long ceased to be a Protectⁿ to His Maj^{ty}'s good Subjects therein, & the Right of the People to that Protection, & to expect that the Legislature of this Province will, at this Time, effectually interpose to enable the Officers of the Gov^rm^t to carry the Laws of the Land into Execution.

On the 3^d of Dec^r instant, His Excell^{cy} the Gov^r in a

Speech to both Houses, strongly recommended, to both Houses, the Consideration of the miserable State of this Province, by the Coiners & *Rioters*, & strongly recommended to the House of Assembly to grant Money for the Support & Protection of the Kings Governm^t & the Officers & Others in the Executⁿ of their Duty.—

Petition of Ferdinand John Paris, Solicitor for the East Jersey Proprietors to the Lords of Trade—about the Division Line between New York and New Jersey.

[From Original Draft among Papers of F J Paris in the N J His Soc Library. Bundle H, No 23.]

To the R^t Hon^{ble} the Lords Com^{rs} for Trade & Plantations The humble Petition of the Councill of Proprietors in East New Jersey.

Sheweth

That on the 12th of March 1663, his late Ma^{ty} K Charles the 2^d granted, to the late Duke of York in Fee, Sev^l large Tracts of Territory in America, w^{ch} included New Jersey, and by Lease & Rel. of 23. & 24 June 1664, the Duke of York granted unto John L^d Berkely & Sir Geo. Carteret in Fee, the whole Province of New Jersey

That by Ind^{re} Quintipartite, of 1 July 1674, the s^d Sir Geo. Carteret & others, who were then entitled to the Lord Berkly's Moyety of New Jersey, released, unto the s^d S^t Geo. Carteret in Fee, All the Easterly part of the s^d Tract of Land w^{ch} had been so granted by the D. of York, w^{ch} was to be divided in man^{er} therein men^d to be called East New Jersey, and, on

the Other hand, the s^d S^r Geo: Carteret released to Sundry p^sons therein named, in Fee, All the Westerly part of the s^d Tract of Land w^{ch} was to be called West New Jersey.

That the Division Line, men^d in the Duke of Yorks Grant, w^{ch} was to divide East New Jersey from his other province of New York, was to be a Line drawn from the Latitude of 41 degrees Upon Hudsons River, to the Latitude of 41. degrees & 40 minutes on the Northernmost Branch of Delaware.

That sev^l Attempts were made to run the s^d Line but the same not being effected, The Gen^l Assembly of New York, in 1717, pass^t an Act reciting the Necessity of ascertaining the Bounds, between the Province & New Jersey, that the Inhab^{ts} of New York, whose Estates were adjacent On the partic^{on} Line, might peaceably, enjoy the Fruits Of their Industry, & that the Govern^{mt} might not be defrauded of the public Taxes which might Arise & become due from the Inhab^{ts}; wherefore, a Sum of money was, by the s^d Act, appropriated, for defraying New York's part of the Charge of Running, Surveying & Ascertaining the s^d Boundary, when the running the same sho^d be begun by the mutual Consent of the Gov^r & Co^l of New York & the proprietors of the Soil of New Jersey; And by the s^d Act, it was declared that the s^d partic^{on} Line, being run, by the Survey^{rs} & Com^{rs} of each Colony, Should, forever thereafter, be the Partic^{on} Line, Limit & Boundary of New York, (w^{ch} Act was ratified & approved by y^r Crowne on 19. May 1720).

That the Gen^l Assembly of New Jersey was very glad of such a Concurrence on y^r p^t of New York & therefore very soon thereaft^r namely in 1718, past a like Act on their part.

Pursuant to w^{ch} s^d resp^{tive} Acts, the Gov^r & Council of each of the s^d provinces appointed by Com^{rs} und^r

the Great Seal of each resp^{ive} province certain Com^{rs} & Surveyors to Settle the s^d Boundary Line, w^{ch} these joint Com^{rs} & Surveyors did, in part, perform, And in consequence thereof by Ind^{re} Tripart of the 25th of July 1719, made & executed by & between the s^d respective Com^{rs} & Surveyors, they fixed & ascertained w^{ch} was the Northwest Branch of Delaware River, & also which part of the same lay in the Latitude of 41. degrees & 40. Minutes; And the Inhab^{ts} in generall in both provinces intertained the highest satisfaction, at Seeing the s^d good & useful work begun, & so far proceeded in & sittled.

But yo^r Pett^r beg leave to acquaint your Lopp^s, that y^e compleating of this necessary & salutary work, has been hindered & prevented to a * * * [1] * * by a Small number of powerful p^{rs}ons in New York, intituled unto excessive large Grants of wast Territorys, & Regions there, paying a Sort of Quit Rent, next to none at all, to the Crown & who keep the s^d great Tracts in hand, with very small partes thereof settled, to the infinite prejudice & weakening of New York, & indeed of all the neighboring provinces; And as every Man in America understands something of surveying those persons Soon finding, when one of the points, a Quo, had been fixt, where the Line of partic^{on} would necessarily run, & that it would cut off some parts of their enormous Grants, (w^{ch}, for want of Extent of Territory within New York, they had stretcht & encroached into New Jersey for), & that, if they would have their Lands there they must at least, pay Some Quit Rent, to that Government, Such few persons, have had the power & address, Contrary to the gen^l Sense of the people, in both Colonys, to prevent every repeated endeavor that has been Used, for those 30 years past, to finish the Settling the s^d Boundary, to the infinite prejudice of both the Provinces, & of the publick Service, as it prevents the improvem^t & Set-

them^t of great p^ts of the Country, the Strengthening of his Ma^{ty} Empire there, & the Increase of his Revenue, in New York.

Wherefore, On the 18th of Nov: 1747, the Gen^l Assembly of New Jersey being tired out with many repeated, but fruitless endeavours passed *An Act for running & ascertaining the Line of Partic'on & Division betwixt the province of New Jersey & y^e province of New York.* By w^{ch} Act, after reciting more largely Sev^l of y^e m^{res} & things herein before stated, it is enacted, that y^e Com^{rs} & Survey^{rs} w^{ch} had been or sh^d be app^{nt}d & approved by the Gov^r with y^e Advice & consent of the Councill, sho^d distance & fix the other Point, ad quem, namely, the Latitude of 41° degrees upon Hudsons River, & sh^d run out y^e Strait & direct Line from y^e One of the s^d points, to the other of them, w^{ch} sho^d be the Line of Partic'on, between the Colonys; But the s^d Act recited that it was the design, & earnest desire of the Legislature of New Jersey, that the s^d remaining partic'on point, & Line, should not only be discovered, & run truly & fairly, but also amicably, & in Conjunc'on with Com^{rs} & Survey^{rs} to be legally App^{nt}d by the Governm^t of New York, if that Gov^{mt} thought fit to appoint any And, therefore it was enacted, that before the Com^{rs} on the p^t of New Jersey sho^d begin the Work, timely notice (not less than nine months sho^d be given to y^e Gov^r of New York, in ord^r that Com^{rs} & Survey^{rs} might be app^{nt}d by the Governm^t of New York, to act in Conjunc'on with those from New Jersey: But, if New York sho^d not appoint p^{sons}, on their p^t, or the s^d p^{sons} sho^d not act, then the p^{sons} nominated on the p^t of New Jersey to proceed, in fixing the s^d Partic'on: with a Suspending Clause in the s^d Act, until the Royal Assent sho^d be had thereto That y^e New York Assembly so early as on y^e 9th of April: 1748; knew & took notice in their public Votes, of y^e s^d New Jersey Act, but not to

rest on that notice, Copys of the s^d Act were personally Served on the 28th of June 1748, upon the Gov^r upon the * * ? * * Of the Co^l, & upon the Speaker of the Assembly in New York, in ord^r to Give them the fullest notice of the same before the s^d Act was sent home.

After which, the s^d Act being transmitted & layd before yo^r Lo^{pps}, yo^r Lo^{pps} have taken the Opinion of M^r Lambo thereon, as yo^r peti^{rs} are informed And your petr^{rs} have given notice, to the Agent of y^r New York Assembly & have h^{bly} applyed to yo^r Lo^{pps}. that you would be pleased to take the s^d Act into yo^r Consideration & make yo^r Report, or Rep^sentat^{on} to his Ma^{ty} thereon.

But the s^d Agent hath delayed the Same, on p^tense of want of Instruc^{ons} from New York altho['] yo^r petiⁿ^{rs} have acted so very fairly in giving Such public Notice as af^o in New York of the s^d Act, now about 21. months ago.

Your Petic^{rs} therefore most h^{bly} pray of yo^r Lo^{pps} that you will please to app['] a short day to take y^e s^d Act into yo^r Considⁿ, & to have yo^r petⁿ^{rs} by their Councill, in support of y^e Same, And that thereupon yo^r Lo^{pps} will please to recomend, to his Ma^{ty} the Approbⁿ & allowance of the s^d Act.

And yo^r petⁿ^{rs} shall ever pray &c

F. J. PARIS Sol^r for the Petn^{rs}

[14 Feb. 1749]

Affidavit of William Gilman relating to the Rioters.

[From Copy among James Alexander's New Jersey Papers, Vol. III, No. 10, in Rutherford Collection.]

Province of }
New Jersey } s. s.

WILLIAM GILMAN, of the Township of woodbridge in the County of Middlesex and Province of New Jersey, Weaver, of full age, maketh Oath, That about the Beginning of the next week after the General Assembly finished their last Session at Perth Amboy (on the Tuesday following as this Deponent believes) he, this Deponent Saw a number of horsemen Pass by his house in Woodbridge aforesaid, amongst whom was a person Called Capt: Roberts, or Amos Roberts; that this Deponent had taken Notice of the said Roberts before at the time when one John Bainbridge was Violently taken out of the Gaol at Perth Amboy; That The Said Roberts was then at Cap^t Heard's at Woodbridge aforesaid in the Company of a Number of people who were Called the Rioters; That this Deponent thinking that the horsemen aforesaid were of the people Called the Rioters, followed them to Cap^t Heard's aforesaid, where they Stop'd, and about five or Six persons Came up to the Said Roberts, and Said, they were doubtfull of Seing him there that day; to which the Said Roberts replied, Never put your hands to the plough, and look Back; (or words to that effect); That Several of the Company went into Cap^t Heard's house, and Amos Roberts, in particular, offered to Shake hands with Cap^t Heard; That Cap^t Heard refused to Shake hands with the Said Roberts, and Said, that he wondered at the great impudence of him, the Said Roberts in presuming to appear there with

Such a Company again, (or words to that effect); That Some of the Said Company Seemed to resent Cap^t Heard's Expression very much, and abused and insulted the Said Cap^t Heard in a very Gross manner; That Cap^t Heard then Said, I am very Sorry for you, but Some of you will come to the Gallows, if you go on in this manner, (or words to that effect); Upon which one of the Said Company replied, Damn you, if we are hanged, you Shall be the hangman; This was in the Said Cap^t Heard's house; That the Said Company Then went out of doors, after which M^r Heard and Amos Roberts fell into Some dispute; And Cap^t Heard told the Said Roberts that he deserved to have his head broke; That the Said Roberts told the said Heard, that he had as good a Cane as Cap^t Heard, with as good a Silver head, and made of as good Stuff; and further told the Said Heard to break his head if he durst, Shaking his Cane at the said Cap^t Heard at the Same time; That Cap^t Heard Said to the Said Roberts you are a poor Silly man and not worth taking notice of, (or words to that effect;) That the Said Roberts Answered, I am as good a man as you are John Heard, you are a Cap^t of not above a hundred men, and I have three hundred men at my Call at any time (or words to that effect); And this Deponent further Saith, that he observed a little Squall fellow (whose name he doth not know) to be very abusive to the Said Cap^t Heard, and the Said Man Curs'd Cap^t Heard and Said, put any of us into any Gaol, and we will fetch him out (or words to that effect); And one of the said Company Damn'd all the Township of Wood-bridge, and Said there was not a Man in it; That this Deponent observed that the Said Cap^t Heard reasoned with the Said Company, and told them he was very Sorry for them, and that he was very much afraid Some of them would come to the Gallows: The Said Company, after Many abuses and insults offered to

Cap^t Heard, Rode off, Huzzaing for King George, And this Deponent further Saith, That he understood the Said Company were going to Perth Amboy, to lay their Grievances before the Governor and Council, But understanding the Governor was gone from Perth Amboy, they returned Back, And this Deponent further Saith, that the Said Amos Roberts was highly Carressed by the Said Company, and even revered as much as if he had been a king, and further this Deponent Saith not.

WILLIAM GILMAN

Sworn this 15th day of february
1748-9 before SAMUEL NEVILL

[An affidavit of like import was made on the 14th of February, by Stephen Crane, of Elizabeth, who happened to be passing through Woodbridge on his way to Philadelphia at the time.—ED.]

Paper signed by James Alexander and Robert H. Morris—in answer to the Rioters' proposal relative to instituting suits.

[From Original Draft in Vol III of New Jersey Papers in the Rutherford Collection, No. 7.]

There are Several things in the paper Delivered by you to us this afternoon, that we do not admit to be true But as we are now at a Distance from the Gentlemen of the Law that are concerned for us We hope to See youe & the powers youe Say youe have at the next Supream Court at Perth Amboy, where we Expect to meet our Council, and with their advice give an Answer to your proposals so far as they relate to us

March 17th 1748-9

JA: ALEXANDER
ROB^t H MORRIS

[Appended in the handwriting of Mr. Morris.]

Answer to be given at the Amboy Court

Whenever the Laws of the Country are restored to their former force they will entitle all his Majestys subjects to fair and impartial tryalls—and none of them will then stand in need of Concessions or Agreements to enable them to take the benefit of those Laws.

But till his Majestys authority is again Establish'd in the province, we esteem all applications to his Courts of Justice to be idle & ridiculous, as they have not Power sufficient to compell obedience to their Lawful commands.

Letter from Ferdinand John Paris to James Alexander—about his services to secure favorable action against the Rioters.

[From Original Draft among the Papers of Mr. Paris in N. J. Hist. Soc. Library, Bundle X, No. 79.]

James Alexander Esq^r

Surry Street London 24 Mar. 1748[9]

Sr

[Extract.]

* * * * * I am sorry that I was so much a prophet, in what I formerly wrote you of the Countenance w^{ch} the Ryoters would meet with. You now find I knew the Man whom I wrote about. You are fearful, least the Ministry sho^d take this m^re to Heart, & lay it before the parliam^t & the p^liam^t sho^d treat New Jersey too severely, & the Country Members gone into y^e Country, & the p^liam^t has their hands

full enough of American Affairs relating to paper Currency, w^{ch} nearly employ their leizure time, & that, & y^e Settlem^t of Nova Scotia may also employ the Board of Trade more than enough, So that I shall think my Self fortunate, if I can gett this Affair of yours (w^{ch} you know Some thousands of miles off) at all Considered, by any body, or any Board whatever. If it Concerned one single Voice or Vote, in our Ho: of Comons, here at home, it might be worthy of Consideration, it do's not, from thence, follow, that those Ryots sho^d be thought of Considⁿ by Any of our Grandees. I as little expect that y^e Crown sho^d Send any of its Forces to you, at present, & if I can be so happy to get y^e m^re well considered at Whitehall Shall not expect to obtain much more than strong paper Instrucⁿ to yo^r (Gov^r to Call on y^e Assembly to hold themselves, or possibly, a proposal to reunite Jersey to y^e York Govⁿment, for Our great men live to do business with as much ease to themselves as they can. * * * * * Be assured, that he [your Chief] has long tried a double way of Speaking, Writing & acting, & I will endeav^r to know what he writes on the occasion. But this, please to remember from me, that he would, if possible, deceive the Elect, I shall well look after Any Complaint ag^t or Attempt to remove Any of the Councill, I will not enter public Caveats, I can go a more expedient way to work. As to Speaking to yo^r Agent, I chuse to Omit it, because sho^d he p^rmise to write Over Any advice, or to p^rsue any measures, I have no Sort of dependance On *him*, that *he* will be in Earnest, And, if *he* was to be in earnest, I know that y^e p^rson, whom you think might be influenced thereby, has too good An Opinion of the depth of his Own Understandⁿ in politics, to follow Any Such Advice, from home * * * * *

I can not get the Board of Trade to think of yo^r Line Bill yet, tho' I most earnestly press them on that

head. Indeed I Am not very Sorry, but much wish I
had y^r Answ^r to my Obj^{ns} to that Bill * * * *

Sir y^r most obed^t h^{ble} Serv^t

FERDINAND JOHN PARIS.

*Letter from the Council of New Jersey to the Lords of
Trade—relating to the Riots and Insurrections in
the Provinces.*

[From P. R. O. B. T. New Jersey, Vol. VI, G 15.]

Burlington in New Jersey

March 28th 1749

May it please your Grace

Six of the Members of His Majesty's Council in December last, Transmitted to Your Grace a Representation, to His Majesty of the deplorable state of this His Province of New Jersey: since which that Representation has been Approved of by all the rest of His Majesty's Council as Your Grace will Observe by their Minutes of the twenty fifth Instant.

We, the Members of His Majesty's Council, do now Beg leave to acquaint Your Grace, That, since that time, His Excellency the Governor, dissolv'd the late Assembly, and Called a new one, to meet in February last, and then recommended to them in very Earnest Terms, the Miserable Condition of this Province; Occasioned by a Number of Riots and Insurrections; And pressed them to make Provision, for Guarding His Majesty's Goals; and that otherwise, He should be under a Necessity of Laying the Matter before His Majesty: But neither that Recommendation, nor a Speech afterwards from His Excellency, in still more strong and Cogent Terms had any Effect with the

Assembly to make such Provision, or to do any thing against the Rioters: But on the Contrary they did many things in their favour, and tending to Assume upon themselves the Power of Government within this Colony; and to render His Majesties Commands of no force; as will be evidenced by the Minutes of the Council & Assembly of this Session, which we doubt not will be Transmitted, by His Excellency, to Your Grace.

Wherefore, we and others, His Majesty's Loyal Subjects, Continue to have no hope of relief for past Injuries, or of Safety of our Lives or Properties for the future, against the wicked Combinations, & Growing Strength of the Rioters & Traitors, but from His Majesty's Speedy and Effectual Interposition, for restoring and Preserving His Government and Laws.

We doubt not His Excellency will lay this Unhappy Affair before Your Grace; But still we cannot think it Consistent with our Duty to Omitt the doing of it.—

We are May it please Your Grace

Your Graces most Obedient, & Most Humble Servants

PETER KEMBLE	ROB ^t H: MORRIS
THO: LEONARD	JN ^o READING
JN ^o COXE	JA: ALEXANDER
AND ^m JOHNSTON	JOHN RODMAN
JA HUDE	

[A copy of a letter to the Duke of Bedford, signed by the same gentlemen, was inclosed.—ED.)

Letter from Ferdinand John Paris to James Alexander—about proceedings in London and influence of Governor Belcher.

[From Original Draft among the Papers of Mr Paris in N. J. Hist. Soc. Library.
Bundle X, No 71.]

James Alexander Esq^r

Surry Street London 15 Apr: 1749

Sir

My last was Of the 24th of March; Copy whereof is here before. * * * * * Since that L^{re} the King referred the petⁿ of the Council of Proprietors to A Com^{rs} of Councill; and there being a great Friendship & Intimacy between the Duke of Bedford, Sec^{ry} of State & the Earl of Halifax, first Com^r for Trade & plant^{ms} his Grace acqu^{ts} the Earl what an Acco^t he had to the disturbances which were in New Jersey, & the thing being spoken of, Our Bishops here, who are importunately pressing to have protestant Bishops Setled in America, possess y^e Duke of Bedford with a Notion, that Non-juring Bishops, driven on acco^t of y^e late Rebellion out of this K^{dom} would go to New Jersey, & mix with Any discontented party there to breed Confusion, Wherefore that it might be very p^{pr} to use some present means to quiet the Rebellion in New Jersey, & by & by, to app^l Protestant Bishops for America (but I cannot perswade my Self that y^e latter part of y^e Scheme will take place Soon, if it ever should) However y^e Duke told y^e Earl of Halifax that he understood that like L^{res} had been Sent, to y^e B^d of Trade as had been Sent to him about y^e Ryots, Wherefore on y^e 5th Instant, the B^d of Trade Sent for

me to know if I had Any Letters for them on this m're! I told them that I knew there were L'res coming to them, of w'ch I had, already, a Copy; They desired to have a Copy of such L're w'ch was coming to them, w'ch I sent to them the same day; And at y^e same time, I took notice to them, by a Postscript in mine, that there were, (or should be) Sev^l Companys of Forces at New York; & I dont know but some measures may be fallen upon, for yo^r relief, unless the business w'ch takes up y^e Board of Trades whole time, abo^t the settlem^t of Nova Scotia, continues, for y^e time to come, as it has, for some time past, to engross their whole Deliberations Two days ago I got the Councill of propriet^r petⁿ to y^e King to be referred, from y^e Com^{rs} of Co^l to y^e Board of Trade, And I am endeavoring to get y^e Duke of Bedford to referr the New Jersey Councills Address to y^e King also, to y^e Board of Trade, that then they may have the whole m're before them. In the mean time, I am to Acquaint you that there is great wrath gone forth from the Board of Trade ag^t Gov^r B—— who, they seem to think, must have had it in his power, if it had been in his Inclinat^on, to have quelled these disorders. In Short, if he weathers out the Storm, w'ch is raised ag^t him, it must be owing to the present Employment of the Board of Trade, w'ch do's not leave them time or leisure to think of him. As matters stand, at this day, it appears to me, most likely that M^r B. will immediately lose his Governm^t And I know that Interest is making to Succeed him, however it may happen that things may take a different Turn. I shall Get the best Acco^t I may, what Steps he & his Bro^r in Law make, & If I find the least Attempt to complain ag^t or reflect on y^e Friends, or to hurt the Interest of the Proprietors, he may expect I shall furnish all the Assistance that I Am able ag^t him which at this p^ticular time might, possibly, contribute to turn the Scale.

You have pretty closely lookt after his p'ceedings On
yo' Side, & I shall do the Same here. * * * * *

You will perceive, by Some of my foremen^d L'res,
that I was of y^e same Opinion with You, that it might
be best to reunite Jersey to the York Gov'n^m again,
but I dont believe *that* is thought of here as any
Scheme to be p'sued.

I know the Gov^r & his Bro^r both so well, that I dare
not trust either of them, with the measures which I
Am to take, nor can I depend upon them enough to
apply to Either of them for Assistance in the Line
Bill, or in the Riot Affair, besides that Any Assistance
w^{ch} both or either of them might be able to give, if
willing, cannot be at all wanted

Gov^r Clinton's L're is a very serviceable Letter, But
the Board of Trade cannot hear any Mot'on, On y^e
Line Bill being so wholly taken up in y^e Settlem^t of
Nova Scotia, & in y^e paper Money Bill, w^{ch} they bro'
into p'liam^t the middle of last month. * * * *

I suppose M^r Belcher will magnify his Endeav^r to
quell the Riots, he having shewn his resentm^t so farr
as to dissolve the Assembly that would not assist
therein Many of those Outside Appearances he has
heretofore Shewn; And they may deceive those who
do not know him * * * * * I am

Sir Yo^r most obed^t h^{ble} Serv^t

FERDINAND JOHN PARIS

*Lords of the Committee of Council to the Lords
Commissioners of Trade and Plantations—trans-
mitting Petition from the Council of Proprietors
of New Jersey of December 23d, 1748.*

[From P R O B T New Jersey Vol VI G 11]



At the Council Chamber
Whitehall the 13th of April 1749

By the Right Honourable the Lords of the
Committee of Council for Plantation
Affairs—

HIS Majesty having been Pleased by His Order in Council of the 16th of last Month to referr unto this Committee the Petition of the Council of Proprietors of the Eastern Division of New Jersey in behalf of themselves and the rest of the General Proprietors of the Soil of the said Eastern Division and other His Majestys Loyal Subjects, therein complaining of the Riotous and Rebellious Proceedings of several of the Inhabitants, and that the Assembly have refused to afford the Government any Assistance, and Praying His Majesty to take the deplorable Case of the said Province of New Jersey into Consideration, and to put a Stop to the growing Rebellion therein, that His Majestys Authority and Laws may be therein restored and preserved, and the Petitioners, and other His Majestys Loyal Subjects, may, by and under them, be Protected in the Enjoyment of their Lives and Property,—The Lords of the Committee, this day, took the said Petition into their Consideration, and are hereby Pleased to referr the same (a Copy whereof is

hereunto annexed) to the Lords Commissioners for Trade and Plantations to examine into the Allegations thereof and Report to this Committee what they think Advisable for His Majesty to do therein.

W: SHARPE

Letter from Richard Partridge, London, to Richard Smith, Junior —about New Jersey affairs.

(From a Copy among James Alexander Papers, Vol II, No 45, in the Rutherford Collection.)

London, 2^d Mo: the 17, 1749

Loving friend, Richard Smith,

[Extract.]

Understanding That the Duke of Bedford was made acquainted with the Disturbances in your Province, and had expressed his Resentment thereupon. I waited on him, and endeavored to take off the edge of his Prejudice, and by his permission Read to him the fore part of thy Letter to me of 19th 12th mo: 1747-8 which I hope was of Service, But he intimated that his Information was what he received about 6 weeks Since, and Seemed to think That by the Same Conveyance Some further account of the disturbances might have Come from other hands. I hope your Assembly will endeavour to Vindicate [Themselves from] the Charge against Them in This Petition. I find there is another paper come from Some of the Council of New Jersey to the Duke about This matter, which was indeed hinted to me by the Duke: I have not got a Sight of that yet, but believe I shall in a while, and inform thee further, interim, I remain

Thy friend

R^o PARTRIDGE

The Proprietor of Pennsylvania Seems to be prepos-
sessed also against your Assembly in This Affair, he
having had Some account of it from one of The
Council.

*Letter from Governor Belcher to the Secretary of the
Lords of Trade with answers to certain queries.*

From P. R. O. B. T. New Jersey, Vol. VI, G 24.

Burlington N. J. April 21: 1749

MR. HILL

S^r

Since Mine of 18: October Last, I have taken pains,
to Inform my Self, That I might make Answer, in the
best Manner, I could, to the Queries, you Sent Me,
which I now do; and the Answers are made, Accord-
ing to your Arrangement, of the Queries; and are So
Particular, that I have no Observations, to make on
the Heads Mentioned.

I am, with Much Esteem and Respect

S^r Your Most Obedient & Most H. Serv^t

J. BELCHER.

Boundaries of the Province, as in the Grant from His
Comission

Beginning at S^t Croix, and bounded on the East part
the Main Sea and part by Hudsons River, and hath
upon the West Delaware Bay or River, and Extendeth
Southward to the Main Ocean as far as Cape May, and
to the Northward as far as the Northermost branch of
the said River Delaware which is in forty one Degrees

and forty Minutes of Latitude and Crosseth over thence in a Streight line to Hudson River in forty one Degrees Lattitude.

	Latitude.	Long from London	
Burlington Capital Western Division	40° 04	74 44	} Computed
Perth Amboy Capital Eastern Division	40 28	74 01	
Cape May	39	—	

Line from the Station Point on Delaware (which is Settled) to the Station point on Hudsons River (which is not Settled) is Disputed.

The Country on both the Rivers is Fertill for all European Grain and for Grass and a large Tract through the Middle of the Country is Barren and only to be Valued for the pine trees and Cedars growing thereon.

There are no French or Spanish Settlements joining on this Province.

The Constitution Settled by His Majesty's Letters Patent is the Captain General, the Council appointed by His Majesty, and twenty four Representatives Chosen by the People who Conjunctly have the powers of Legislation.

The Trade of the Province is in Provisions and Lumber Exported to Europe and the West Indies, there are about 20 Vessells about 1,500 Tons, Carrying about 160 Men, the Number of Vessels are something Encreased.

This Province takes off Cloths, Hats, Cuttlery, & other Smiths Work, most sorts of British Wollen Manufacture, and some East India Goods to the Value of £20,000 Sterling p Annum

The Trade of this Province except that to Great Britain is Chiefly Confined to Ireland, and the Ports of Lisbon, and Maderia the Trade is Carried on for the Most part in Vessells which are owned here, there is no trade carried on to Foreign Plantations in the West Indies.

His Majesty has three Collectors of His Revenue in this Province, who are Vigilant and prevent any Clandestine Trade as much as in them lies

The Staple of this Province is Timber, Flour, beef and Pork, they Export to the value of £30,000 Sterling p Annum.

There are many very Valuable Mines of Good Iron, and one of Copper.

Number of Inhabitants, Whites & blacks as numbered about two Years ago	{	61,388
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Encrease within ten Years past by Natural Encrease, and the Settlement from Europe & the Neighbouring Colonies	{	14,014
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The Number of the Militia is about - 45,00

No Forts or places of defence.

Of Indians About Sixty Families reside in the Province, who are Quiet and easy under His Majesty's Government.

The Six Nations who are Friends to the English and are settled back of Pennsylvania, and New York are about 5,200 Fighting Men, according to a Computation made about 3 Years Since.

No French or Spaniards are Settled on the Confines of this Colony.

The French or Spaniards have no Effect on the Trade of this Province; the French at Canada Share the Fur Trade with the Provinces of New York and Pennsylvania.

The Revenue Arising within this Government is from the Loan of Bills of Credit, and 8 Years ago was £3,000 p Annum and is by the Sinking of the Paper Currency according to the Acts which gave it birth reduced this present Year to £1268.8.9 it is to be Appropriated to the Support of Government in such Manner as the Governor, Council, & General Assembly shall direct.

The Ordinary Expences of this Government about

£1,375 and the Extraordinary Expences about £400 P Annum in Money at 70 P Cent worse than Sterling.

Tis 17 Years since any Tax was raised on the People for Support of Government.

The Secretary is Created by His Majesty's Letters Patent under the Great Seal of Great Britain, the other Civil Officers by Commission under the Great Seal of this Province Tested by the Governor.

The Military Officers by Commission under the Seal at Arms, and hand of the Governor.

Letter from Governor Belcher to the Lords of Trade—relating to certain acts passed in New Jersey—the recommendation of Richard Saltar for the Council, etc.

(From P. R. O. B. T. New Jersey, Vol VI, G 26.)

Burlington N. J. April 21: 1749

May It Please Your Lordships

The 16: of this Instant, I received the honour of your Lordships Letter of 25: November last:

As to the Acts, past by this Legislature, Since my Arrival, the receipt whereof, your Lordships now mention, to Me, As the titles, and Preambles, to those Acts, As well as the enacting Clauses, were So full, and Particular, I had no observations, to make on them, or Reasons, to Offer, for passing them, more than what I wrote your Lordships, in Mine, of 22: April last, and to which I Again pray your Lordships reference These Matters are all prepared, and put in Order, by the Secretary of the Province. and I am Sorry, he did not do his duty— However I now Send

your Lordships, *A Set of those Acts Printed, and fairly Abstracted, in the Margins.*—

What I have further to Say, to your Lordships, Relating to the Act Sent your Lordships, the last year, for Emitting £40000; And also As to the State, of the Paper Currency, of this Province, Is, that the Sum of 20000£: formerly Emitted, by the Royal Approbation, was punctually Sunk, pursuant to the Said Act, this present Year.

And by an Act Passed, in the 7th Year of His present Majestys Reign, and which has His Majestys Royal Approbation, on the 4th May 1735 was Emitted, the Sum of 40000£: in Bills of Credit, which bore date, the 25: of March 1737 and Were to be Current, 16 Years, One half whereof, is Sunk this present Year, 1749 and So will the remainder, be, in 4 Years all the Interest that will Arise thereon will be £25000 and is Appropriated, far the Support, of the Government:

The Act for Emitting 40000£: now lying before your Lordships, is Agreeable to the Law, for Emitting The aforementioned 40000£: And the Same Method, is proposed for sinking them, and which has, in this Province, been alwayes honestly and Effectually pursued, This, with what I wrote your Lordships, In April and June last, is all, I Judge Needfull to trouble your Lordships with, upon the depending 40000£: Act

As to the Exports and Imports, of this Province for twenty Years Past—

I will make the best inquiry I can, and do my Self the Honour, of writing your Lordships, how I find things on this head—

I Observe, your Lordships have recommended Richard Salter Esq^r, to be of His Majestys Council, of this Province, in the room, of M^r Hamilton dec'd

This, my Lords, Seems to Militate with His Majestys

6: Instruction, to Me, being thus—"You are to Nominate unto us so many others in their Stead that the List of twelve Persons Fit to Supply the Said Vacancies Viz! Six of the East, and Six of the West Division as aforesaid may be always Compleat— Now this M^r Salter, lives in the Eastern Division, and makes Seven Councillors in the East, and but five in the West Division Whereas according to the Best Judgment, I can make, in the Affairs, of this Government, it would best of all Conduce to His Majesty's Service, to have the Members of His Majestys Council, for this Province, Appointed in Conformity, to the Kings instruction, above mentioned, for as Several of the Gentlemen, of the Eastern Division, live at the distance, of 40 or 50 Miles, they often do not, or Cannot attend, their duty—Which Obliges me to do The Kings business, sometimes with five, and at other times, with Onely three, of the Members, of the Council which I think not so Convenient, or so much, for the Kings honour and Interest, as to have full Councils—

I take a Particular Notice, of all your Lordships write, upon an Application, made to you, from the Executors, of the late Governour, of this Province, and have the honour to Coincide with your Lordships, That this is A matter in Wich Government is essentially Concerned, and at my Next Meeting, of the Generall Assembly, of the Province, I Shall in the most prudent Manner, I Can, press them to do Justice, in this Affair.

I have now the honour, to transmit to your Lordships, what Past in A Session, of the General Assembly of this Province, at Perth Amboy, from 17: November to 16: December, last Viz!

The Six Several Acts Past, 16th Dec^r 1748, Each of them under the Seal of the Province—

The Transcripts of the Journals of the Council, and—

The Printed Journals of the General Assembly in the Same Session

These things, go to the Care, of M^r Partridge, to be Delivered your Lordships, and As he is the Agent for this Province, I Suppose he is Instructed, to Solicit the Royal Assent, to these Acts, all of which, I Judge will tend, to His Majestys honour, and Service as well as to the good of this Province—

I am with Great Regard

My Lords Your Lordships

Most Obedient and Most Humble Servant

J BELCHER

*Letter from Governor Belcher to the Lords of Trade—
about the condition of the Province in consequence
of the Riots, etc.*

[From P R O B T New Jersey, Vol. VI, G 95.]

Burlington (N J) April 22: 1749

May It Please your Lordships

I have already wrote your Lordships at Large, by this Conveyance, with a Number, of Publick papers relating to this Government, Which, I hope, will get Safe to your Lordships hands.

I am Heartily Sorry, for the Occasion, and Necessity of this, Which is, to lay before your Lordships, the deplorable unhappy State, of this Province, Arising from great Numbers of Riotous Persons, of which Matter I have wrote your Lordships Once and Again; These things began, Many Years before my Arrival, and gradually, during the Administration of my late Predecessor, grew to a great height, and to which he was not able, to Apply a Remedy, What Steps have been taken, in the Affair, Since my Arri-

val, to the Government, your Lordships are, and will be, fully Apprizd of, by the Publick papers, I have Sent, and am Still Sending after Waiting on the late Assembly, with all the Patience, I thought Consistent, with the Kings honour, and Interest, and the Safety of the well Inclined People, of the Province; and finding the Assembly, would do Nothing, to Effect, I dissolved them, and Called Anew Assembly, and directed them, to Meet Me here, and their Journals, which I have now the Honour, to Send your Lordships, will Show how Little regard, they Paid to all I Could Say, to them, to bring them, into proper Measures, for Suppressing this Wicked Spirit, of Sedition, and Rebellion, Which Animates great Numbers, of Audacious Villains, in Many Parts, of the Province, to endeavour to Subvert His Majestys Government, and in Its Stead, to introduce Anarchy, and all Manner, of Confusion; I have been So large, So Particular, and So Pressing, upon the Assembly, that I think it Needless, to Say Any thing more, to your Lordships, than that I can Concieve No hope, of the Assembly of the Provinces granting A Shilling, to Pay Men, that might be raised, to guard and Protect the Kings jails, or indeed of their doing Any other thing, that would have a rational tendency, to Quell the Rioters.

I would therefore humbly Pray your Lordships, to represent this Affair According to your own Prudence, and Wisdom, to His Majesty, and his Ministers, and that I may as Soon as Possible, receive the Kings Special Orders, in this dangerous Crisis, of Affairs, and Which I hope will be Such, As I may be able to Carry into Execution, For 'till this difficulty is well got Over, I Expect No one thing, to be done, by the Assembly, for His Majestys Service, or for the good, of the People—

The Gentlemen of His Majestys Council, tell me,
They have wrote Largely, to His Majestys Secretary
State, On this Affair, and have Sent their Agent. M^r
Paris, many Papers. About it, and have directed him,
to Lay Copies of all before your Lordships—

I have the Honour to be,
with great Respect My Lords Your Lordships
Most Obediant & Most Humble Servant
J BELCHER.

*Letter from James Alexander and Robert H. Morris
to Ferdinand John Paris -concerning Governor
Belcher and the rioters.*

(From Original Draft partly in the handwriting of both gentlemen among James
Alexander Papers, Vol. II, No. 9 in the Rutherford Collection, compared
with the letter itself among the Papers of F. J. Paris in the
N. J. Historical Society Library, Bundle X, No. 70.)

[To Ferdinand John Paris]

New York April 24th 1749

Sir

This is intended as an addition to the private Letters
Sent you of Dec^r 23^d & ffeb 18th last & to be aply used
in the cases there mentioned— that of ffeb 18th Copy
is enclosed

We really pity the poor Gentleman Gov^r Belcher for
Such is his miserable case that he must be Led by the
Leaders of the assembly or they Seem resolved he
Shall Starve, they make a Show of Supporting him,
but put no money in the Treasury to pay him because
the Council will not assent to. & he declares he will
not pass, their Quota bill because contrary in one
article to one of his Majestys instructions as appears

by the Minutes of Assembly of Decemb^r 13th & March 16 last & Note N^o 9 thereon.

Tho the Council by their address of March 4th last offered (if Effectual measures were not come into by the Assembly) to Concurr with & assist his Excellency in representing to his Majesty the Deplorable State of New Jersey by the riots therein, & tho' by his answer thereto he Said in that Case he should desire their advice & assistance yet he has askt no advice or assistance of them upon that head. we really believe he intended it when he Said he would but between that time & the End of the Session Some of us were well informed that he had been told by a Leader of the Assembly that if he did Join with the Council or advise with them on that head he might Lay his account never to have a penny more Salary in New Jersey—a Severe tryal of a mans vertue, & some Extenuation Should he Err, for Starving is hard for any man & much more So to a man who has been used to Live well as he has done

But tho we Compassionate him, & would by no means quarrel with him or do him the Least injury if we could well avoid it yet we must not be So far wanting to our Selves as to neglect doing our Endeavours to avoid any plotts he may be Led into by the assembly against the Councillors & proprietors, & therefore if he attacks either of them or Endeavours to Support the rioters & their abettors, its possible that you may think it proper to attack him as an abettor of them.

By our private Letter of Dec^r 22^d we gave you Six articles against him for that purpose & now we give you

7th Tho by the Minutes of Council it appears that the Council have used their utmost Endeavours to Examine into the proceedings of the Rioters & for obtaining remedys for restoring the peace of the Prov-

ince & that this he continually has owned by his Answers to their Addresses. Yet by the Minutes of Council it appears not that ever since his Accession to the Government he has once Ask'd the Opinion of the Council, on that deplorable State of the Province, It is true that he once ask'd their Opinion at Burlington, Nov^r 1747 when News came that Brierly was committed for Treason, to Trenton Goal—thereon they advised him to order a Company of the Militia of the County to Guard the Goal, & to order the Several Companys of the Regiment daily to releive one another, till the Man co'd be tryed, & to acquaint the Assembly with such his order & require them to raise Money for the expence of that Guard -which he agreed to, the orders were drawn accordingly, but when next day offered him to Sign he refused because he was Assured that the Assembly would give no money for that purpose— We told him, that would be their fault, & the blame lye at their Door, if they wo'd not, & that it was his Duty to give the orders, & make the demand. but all Arguments we could use could not prevail with him, and in regard to him we did not insist upon drawing up the Minutes of our advice. From that day to this he has never askt any advice of us on that head, & none then, nor before, nor since can be showed by the Minutes

8th During the Session at Perth Amboy in Nov^r & Dec^r last it was currently Reported both in New Jersey & New York that a Number of the Eastern Councillors were to be Suspended, he often express'd great Dissatisfaction with the particular Councillors for Spending their time in taking Examinations about the Rioters, saying it was a thing *below the Council*, and a thing which a Single Justice of Peace could do. All the Eastern Councillors were with him then for about a month. M^r Bonnell Second Judge of the Supream Court had been dead four or five months before that

Session, no Eastern Commissions for peace or pleas had been given Since his coming to the Government & by the Depositions which the Council took & laid before him it appeared that Sundry of the Justices were favourers of the Rioters, and tho the 7 Councillors then attending daily expected his taking their advice on these heads, yet he did not & they were loath to press it till the Assembly was dispatcht, & then did as by Article 4 before— As if he had a Mind to Distress the Eastern Councillors for adhering to their Duty or find a handle for Suspending them tho' he had neglected all that month to ask their advice, he the 8th day after the end of that Session Summoned the Eastern Councillors to attend him at Burlington, 40, 50, & 90 miles from their places of abode in the Dead time of the Severest Winter Wee have had for several years, then gives a second notice to meet the 11th of January when very difficult or almost impossible for men of their Ages to travell so great Distances, & on pretence of their not attending on the 2^d Summons with advice of 3 Councillors he appoints Samuel Nevill Judge in the room of M^r Bonnell as by the Minutes of the privy Council of January 12th 1748-9 herewith appears, those three not doubting but that as M^r Nevill was an Eastern Proprietor he wo'd be agreeable to the Eastern Councillors as by copy of M^r Coxe's letter sent Febr^y 18th & copy herewith—but the Gov^r from private Conversation with them well knew that no Eastern Proprietor whatsoever would be agreeable to them because it would give a handle to the Riotors to clamour and be of not the least Service but great Disservice to the Proprietors of East Jersey by obliging them to send for the Western Judge in all cases where they had any concern, which might become a very heavy expence to them—how M^r Nevill came to be led into accepting that Commission We Know not for he well Knew our sentiments on that head.

9th his Summoning the Eastern Councillors a third time to meet the 20th of January still such hard Weather as made it very Difficult travell—on which occasion four Eastern Councillors on whom the Summons had been served attended least he should have taken occasion, from their not attendance, to have Suspended them & when they came no other business had he with them than the Appointment of the Civil Officers, Whereas as to those of E Jersey he ought to have advised with them during the month he was at Amboy & now when mett did no more than looking over the List of Magistrates in the then Subsisting Commissions & marking such as were dead and had not qualifeyed and as to new ones it was agreed to delay it till the Meeting of the Assembly which he had appointed in February. The Eastern Gen^l who attended thought it very Vexatious to have so many Summonses at that time of year; when he might have advised with them on these matters in December or might have delayed the matter a month longer to the meeting of the Assembly and he was so far from being hasty then that he delayed doing it for 5 weeks after the Meeting of the Assembly and did not ask their advice till the Session of the Assembly was over, tho' they were many days there without any business before them patiently waiting to see what he and the Assembly would do.

10th On the 20th of January when these Councillors met it appears by the Minutes of Privy Council of that day, herewith, that he set up a new pretence no way warranted either by his Commission or Instructions viz, that no Officer should be advised upon but such as he should first name— he is impowered by his Commission to Nominate, Constitute, & Appoint Civil Officers and by his Instructions is restrained from doing it without advice & consent of Council—Now the nominating Constituting and appointing are all

different words for the same thing & meaning the Nomination or appointment of these Officers under the great Seal which by his Instructions he is not to do till he has the advice & Consent of Council for so doing and as to the point of proposing or recommending theres no Direction in the Commission or Instructions about it Wherefore he & every Councillor must in the nature of things have the right of proposing or recommending -this new Claim it was Supposed was started in order to introduce the Friends of the Rioters into the Magistracy, by his not Suffering the Councillors to recommend any and by his recommending only such as were friends of the Rioters as he should be advised by the Leaders of the Assembly.

11th The Gov^t in direct breach of his Instructions appointed Caleb Fairchild to be Sheriff of the County of Morris -without any advice of Council which Caleb Fairchild let 10 prisoners Committed to him for Coining & Counterfeiting Voluntarily to escape as appears by the Minute of Privy Council of November 24th 1748 herewith.

12th The Gov^t by his Commission has full power & Authority with the advice & consent of Council to Summon & Call General Assemblys—But no power is given to him to call such without Such advice & Consent—& should he call an Assembly without that advice their acts must be void for want of being by Sufficient Authority called. But this present Assembly was called without such advice, & probably because he knew so far the Sentiments of the Eastern Counsellors at least that they wo'd not have advised him to it.— His Excellency by his two Speeches last Session has threatened to represent to his Majesty & promised to advise with the Council on that matter & We beleive has Intended to do it when he said so—the advising or Joining with the Council he has been induced to lay aside as before & we much doubt if he

dare represent any thing but what shall be agreeable to the Leaders of the Assembly, friends to the Rioters, and nothing will be agreeable to them, but what shall be in favour of the Rioters, & against the Council & the Proprietors of East Jersey, & we have all the reason in the world to think he must enter into the views of the Assembly, of representing it as a Matter of private Dispute about property—and that the agreeing to a Tryal, will put an end to it, &c, we hope the three Publications & Nevills Speeches, & what we have before sent, & do now send to you, will enable you fully to obviate that Representation & to show that the point in question is no less than *whether the Crown of England has any Right to the Soil or Government of its plantations*, and you can show such Representation to be very inconsistent with his own Speeches, & that in so Representing he cannot be a free Agent, but drove to it by the prevailing friends of the Rioters in the Assembly. If you can that way avoid his Representations, we should rather Chuse it, thereby expressly Attacking him as an Abettor of the Rioters & their Friends, which we would willingly avoid unless an absolute necessity appears for it. One thing is too Ludicrous to make a Cause of Complaint viz^t one W^m Brinley, a Quaker, being in the Commission of the Peace for Monmouth, accused of forging of sundry Deeds, & strong evidence of his being guilty, and this being on the 20th of January last, objected ag^t his being continued, we are told that he slighted *that* objection and ask'd if they co'd accuse him of whoredome or Drunkenness, but however on March 28th he was kept out, for the forgery only; this shows that some folks have an odd taste of Morality

P. S. Since writing the above We recollect that, while we were at Burlington, in March last, the day before the adjournment of the Assembly, We sent two of our Members to know of the Gov^r whether he wo'd

Join with the Council, in representing to his Majesty's Ministers the State of the Province, or would write Separate Letters, upon which he promis'd to write to the Secretary of State, the President of the Council, and the Lords of Trade, upon the Subject, & to send his Letters open to us that we might transmit them & at his request, we left with him copys of the Councils Letter to the Duke of Bedford of March 28th last & sent him copy of the principal paragraphs of that of the 22^d of December 1748. But, since we came away, we have heard nothing from him, nor have we received the Letters promised— What has Stopp'd them, we Know not unless it be the Influence of a Leading Man in the Assembly, who lives near him, and is much against his laying the Conduct of that house before the Government, Should he write & not Send his Letters open to us, it is highly probable they will contain some Representations, inconsistent with truth & the Interest of the Province, & which, he knows, we should not suffer to pass unobserved.—Therefore, if any Letters come, from him, to any of the Officers, otherwise than from us to you, we beg you would endeavour to furnish yourself, & us, with the Substance of Such or even copys if possible, which you may be assured shall be used in no manner contrary to your Directions. Should he send no Information to his Superiors, of the State of the Province under his Command, at this time when they are endeavouring to throw off their Dependance on their Mother Country, we Imagine that neglect will be a great breach of his Instructions and deserving at least a check. We think the Nomination of M^r Nevill to be one of the Judges, will serve as a handle to the Rioters to Support their groundless clamour & Mr Belcher was so informed by the Eastern Councillors, before he did it, but we are willing (rather than to suppose *that* his view) to impute it to the Interest M^r Nevill has been able to make with the

Gov^r upon this occasion, as we know he has been very desirous of filling the place; before this their clamour about the Judges, was without any tolerable foundation, because *two* of the three, for many years till Bonnell's Death, had no interest in the Proprietors side. By his Instructions he is restrained from acting with less than 5 Councillors where their advice is necessary, except in cases of Necessity. Now M^r Bonnell had been dead 4 or 5 months, before Dec^r 1748 & for a whole month he might have had the advice of 7 Councillors, wherefore this, with the advice of three was none of the cases of necessity meant by his Instructions. We have a good deal of reason to believe that M^r Belcher has not sent home any of the Minutes of the Privy Council since his Arrival, which is a very great neglect—

We are Sir Your most humble Servants

JA: ALEXANDER

ROB^t H: MORRIS

New York May 30th 1749

Sir

We hear that Either Gov^r Belcher, or his Son, are going to England—for what we know not—nor cannot well guess—If Either comes, we think they should be watcht Least it be as agents for the rioters, or for the Assembly, against the Council, & possibly to remove Chief Justice Morris, who has his Commission for that office under the Great Seal of New Jersey with advice & Consent of Council during his good behaviour. Should they make any attempts for those purposes, we doubt not your Endeavours to foil them.

'His Majestys Mandamus, in favour of M Saltar, is

¹ What follows is in the copy among Mr Alexander's papers in Mr Morris hand writing, all but the concluding sentence, bearing the remark "The above is what I have wrote, but do not think it is as full as it should be therefore submit it to your wisdom"

come to hand, which will be of great use to the province, as he is a man of good understanding, and named to the Council without M^r Belchers Assistance or even his knowledge, and for which we acknowledge our Selves highly obliged to you. We have no hopes of having any share in M. Belchers recom^dendation as to the future Vacancys in the Council, and should be Concerned to see Such a Nomination (as We may Expect from him) take place, but how to avoid it we don't at present know. It will certainly be of dangerous Consequence to the King's Authority in New Jersey if a Mob Assembly (such as the present) should have the recommendation of Councillors which we think will Surely be the Case while M^r Belcher has the Honour to govern them we therefore beg the favour of your thoughts and advice as to this Matter — viz^t whether its possible to be avoided? & if possible, then how? & what do you think may be the Expense.

We are Sir Your most humble Servants

JAS. ALEXANDER.

Letter from Ferdinand John Paris to James Alexander about business before the Lords of Trade.

[From the Original Draft among the Papers of Mr. Paris in the Library of the N. J. Hist. Society, Bundle X. No. 78.]

James Alexander Esq^r

Surrey Street London 26. May 1749

Sir

Since my last of the 15th of April, I have incessantly Applied to the Lords of Trade, for hearings On the Affairs abo^t the Ryots, & on the Act abo^t the Lines, And On this day have had a very long hearing before

¹ What follows is what was appended by Mr. Alexander

them On the Ryots & great number Of papers have been read: afterwards I prayed & p'posed, that y^r B^d of Trade sho^d advise his Ma^{ty} to instruct his Gov^r to recommend to y^r Assembly in the most Effectual man^r to make every provision for y^e strengthening the hands of y^e Gov^{nm} & restoring force to the Laws in New Jersey, with a Declarⁿ that if the Assembly did not, immediately pay full regard to such Recommendation, his Ma^{ty} would lay the Affair before his parliam^t; but the Lords of Trade, after Seeing how many pages the p^{re}sent Gov^r had laid before y^e Counsell & Assembly in Nov^r 1747, & after the Sev^l Speeches by him made to them on y^e Affair of y^e Ryots whereby he appeared to be most intimately acquainted with the matter & the same by y^e L^{re} & the Minutes of y^e Co^l that he was desired to joyn along with you in a Repr^{se}ntation of the Affair to y^e King (as was most proper in their Opinion that he sho^d have done) but that he had declined it & has never, to this minute Sent to y^e B^d of Trade one Single Letter, any thing ab^t y^e Ryots, the Lords of Trade express'd great Re-
sentment against him and declared they conceived it too manifest that y^e Gov^r was not in earnest to support the Kings Auth^{ty}, & therefore that they would not advise y^e execution of Any Scheme, to y^e p^{re}sent Gov^r but would forthwith recom^{en}d to y^e King to send a new Gov^r *with a Salary from home*, & some independent Company, as at New York. I imagine they have some particular p^{er}son in View, for that place, but who such p^{er}son may be I cannot So much as guess. For, finding them averse to advise Our measures w^h soever which should be p^{er}sued und^r y^e p^{re}sent Gov^r direct^{on}, I then p^{ro}posed to them the annexing New Jersey to New York as before, but that Scheme y^e whole Board declared themselves averse to, So that I expect they will represent to the King Some p^{er}son for a new Gov^r I tryed to get them off of this, by representing how

late Any relief must come, by the incoming of a new Gov^t but in answ^r thereto, they told me tho' late yet this measure, & only this, in their Opinion, would be effectual, And So the matter stands at this present time * * * *

Yo^r most obed^t h^{ble} Serv^t

FERD JOHN PARIS

Letter from James Alexander and Robert H. Morris to Ferdinand John Paris—about the division line between New York and New Jersey.

[From Original among the Papers of F. J. Paris in the Library of the N. J. Hist Society, Bundle H, No. 34.]

New York May 30th 1749

Sir

[Extracts.]

* * * * *

It is certain as you Say in yours of Dec^r 29th that the Charge of This Case is fitt for a whole province to bear, and Tho' there's Equall reason that The Assembly of the Province of New Jersey Should bear the Charge of New Jersey, as for The Assembly of New York to bear the Charge of New York in this affair; yet because its a Service to the General proprietors we are well assured that the Assembly of New Jersey will not Contribute one farthing to the Charge; it was seen with much adoe that we could gett them to pass the Act, tho' by it the whole Charge is to be Bore by the proprietors of East Jersey, and could the Assembly undo the Act, we doubt not their Endeavours would not be wanting, wherefore there's not the least prospect of Obtaining one of any other form. It may be Supposed that Some ill behaviour of the proprietors has raised this Spiritt against Them, But it's far other

wise, their Crime is being Wignmen and Gentlemen, and Not Cap men and Mobmen, a distinction used in the lasst Election of Assembly men with great Success in East Jersey, and by which and other false & wicked Tales the Capmen and Mobmen were Chosen thro' East Jersey. Except in the City of Perth Amboy, So that the Assembly has a great Majority of Mob and Cap men in it

* * * * *

Upon the application for the Royal Assent in This Case, There's no point of fact whatsoever in question, & barely a point of Law, that New York may if they please insist on, Viz' whether the Commissioners Acceptance of the Commissions as before, and Executing them So far as was Just and agreeable to the Grants, Shall be binding, as to what was Therein unjustly directed, and not Executed. In this point New York would have the affirmative Side of the Argument, and it would lye upon Them to Show Sufficient Reasons that the Bare Acceptance and Executing what was Justly directed, Should be obligatory as to what was unjustly directed tho' not Executed; and if their reasons were Such as to render the Matter doubtfull to his Majesty, we think a Commission hither would be no proper means to Solve the Doubt; were there any fact to be Enquired of that might be A proper way, But as its only a point of Law, Either Sending for Some of the Judges of England to give their Opinion viva voce, or Sending the Case to them for their opinions in writing upon it is a much more rational way Than Sending a Commission Three Thousand Miles to ask The question of Men who Cannot So well answer it as the Judges at hand Frustra fit per plura quod fieri potest per pauciora, is a maxim of the Law of England & Even a rule by which Nature in all Cases Acts, and to order a Commission to be sent 3000 miles off on The above Case, when the purpose of it

can be better Answered by the Judges at hand, would be, we think, a great Deviation from The above maxim and Rule, and by the reference a Commission to the Judges of England, the King has Equally the Right to be appealed to from their Judgement as if The Commission had been directed hither.

The difference between our Case and The above Case put is This, that The above Case has only one point of Law to be determined But our Case has not only that point of Law, but also another, Viz^t Whether by the words of the Grants of New Jersey, Hudsons River be Granted, and Consequently that the Bounds of New Jersey Extend to the East Side of Hudsons River? And as This is a point of Law as well as the other, The Same means ought, we think, to be taken for the Answering of it, and not by Commission hither. We have put the first Case, in order to distinguish the two points of Law by Themselves, without which they would have appeared Blended and Confused. And if the King upon hearing this point of Law Shall be of opinion That Hudsons River did pass to New Jersey by the words of the Grants; or if the Judges Shall So give their opinions viva voce or in writing, Then is there no need of Exercising the discretionary power given to his Majesty; and that power is a bare surplusage, which ought not to hurt the Act. But if the King, or the Judges on reference, Shall be of opinion That The Acceptance of the first Commissions is binding as to what was therein directed; Or that New Jersey Extends only to the middle or West Side of Hudsons River; Then and in Either of these Cases comes the difficulty which you mention, and which we did not dream of, because we thought it a very easy and rational thing to put Such words in The Body of the Approbation (*declaring the partition point of New Jersey on Hudsons River*) to be in the middle of the Same River) or (to be on the west Side of Hudsons

River at high water Mark) or (at Low water mark &c) and Then The usual words of Approbation * * *

If these things be gained, its possible that what's aimed at may be done by the Acts in being, and if they be not we Shall have time to try whether we cannot get another Act from our Jersey Assembly, free from those difficultys That this Labours under; but for our parts (with This present Capmen assembly) We utterly despair of obtaining it were it never So reasonable Clear and Just; our wearing wiggs and being called Gentlemen is objection enough. * * * We must beseech you and our Council to Consider this matter thoroughly to Show this difference between This and Those Cases where Commissions have been Sent, Those Cases depended, as we have heard, upon many points of fact to be Examined into; But The we Conceive has not one point of fact upon which it depends, but that one, which only good Instruments and good observers can answer, Viz^t Where is the Latitude of 41° on Hudsons River? In other Cases There were no Laws, we believe in being in the Respective Provinces to Settle the Lines, In this our Case Laws in both provinces have been passed thirty years ago, and in part Executed, and are still in force for Execution of the Remaining part.

As to yours of Jan^y 17th and the defect in the Copies of the New Jersey Commission of 1719, We sent Immediately to inquire into the matter, and directed That if the record differed from The original, to have it Recorded de Novo, with a Note at The Beginning Showing the Reason, and to have two Copies under the Great Seal, Sworn to be Compared both with the Original and the new Record thereof. After Long Search with the Executors of the Commissioners of the Eastern Division, the Original Commission was found, and upon Comparing it with The Record from whence our former Exemplifications were made, the

record was found to want Several lines of the original at the place you mention * * * * * As that omission was the fault of the Kings officers who recorded The Commission at The Issuing of it, it ought no way to be laid to the Charge of The Proprietors; Both the Original Commissions of New York and New Jersey are verbatim alike in the place where the omission was in recording * * * * * We have great hopes from the Ignorance of our adversaries, and your and M^r Hume Campbell's Knowledge and Abilities; we have Some hopes also from The discouragement our adversaries are like to meet with from the Ministry in their unreasonable opposition to Gov^r Clinton, which may Suggest to them that Notwithstanding the votes of the Assembly of New York, the Charge of opposing us may either come out of Their own pocketts, or their Agents be Sufferers, which may be the Case, if the Gov^r and Council refuse to Consent to their Acts for appropriating money for that purpose.

As to your question, What Evidence is there that any Line was run in 1684, We answer that there is no Evidence that any line was then run, nor do we believe any line was then or till 1719 ever run, and the Acts of 1717 & 1718 Supposed Justly in Supposing none had ever been run. * * * * * We beg leave to repeat That this is not a Case Consisting of Sundry points of fact and Law, as disputed Cases Commonly are; but upon one point of fact, Viz^t By Observations to discover the Latitude of 41° If the observers use the Same Instruments its very improbable that They can differ half a Minute in taking off the Observations, and with the Instrument we have got, if they act bona fide can Seldom differ two Seconds, which will never cause a disagreement * * * * *

We think we have Clearly Shown that the King has no Lands within ten Miles of the Line by the Observations of 1684 1686 or 1719, and as Those of 1719 were made with a Brass Instrument, and the others only

with wooden ones, Those of 1719 between the other two, are most probably nearest the truth, So that tho' we Cannot Say Exactly where the true line will run, yett it's very improbable that it will run to The Northward of The Observations of 1684, and as to the King's Rents, The Same Answers Show that the Rents ought not to be diminished if the Line fell as far North as the Observations of 1684 * * * * * The Government of New Jersey belongs to the Crown as much as the Government of New York, and So does the Soil of New Jersey as much as any land in New York, within Ten Miles of the Line for the Grants of New Jersey are rendering a Certain Rent to the Crown as well (tho' not So much) as these * * * * * wherefore we Cannot See that The Crown has any more interest or Concern on the York Side than on the Jersey.

The Issuing of a General Commission we think necessarily presupposes it to be in the power of The King to Sett aside the tripartite Indenture of 1719, which we think by no means is to be directly or indirectly admitted. If not in The power of the Crown to Set it Aside, Then it must be to no purpose to grant a Commission to inquire or Judge any thing concerning it * * * * * If we Should fail of the Royall Assent to the Act, we have already hinted what we think is much more rational Than a General Commission, which would in all probability Spin out the matter far beyond the purses and Lives of the persons now Concerned on the Jersey Side * * * * *

We are Sir

Your most humble Servants

JA: ALEXANDER

ROB^t H. MORRIS.

[Under date of June 5th 1749 they appended a Postscript, in which they discussed different modes of submitting the questions involved to the decision of three

Judges, and the appointment of proper persons to observe the latitude, not materially different from what they had commented on in their letter. Referring to the riots they conclude with, " We believe the Reuniting New Jersey and New York under the Same Gov^t as they were from 1703 to 1738, will be most Easy and effectual way to preserve the peace of New Jersey, as the Gov^t of N York has four Companys of Soldiers at his Command, and had he been also Gov^t of N. Jersey he would have nipt the Rioting in the Budd, by protecting the Gaols, and bringing some of the Rioters to Justice." -Ed.]

Letter from Richard Partridge, London, to Richard Smith, Junior, New Jersey - about New Jersey affairs.

[From a Copy among James Alexander's Papers Vol. II. No. 46, in the Rutherford Collection]

London 4th mo: The 3^d 1749

Loving friend Richard Smith

Extracts.

* * * * The Resentment Concerning the affair of the Rioters in your Province, I find Continues in The Board Trade, and There has been Some talk of Ordering forces Thither, but they will hardly do any thing in it, I believe, till they hear further from your Province about it, which we daily expect * * * *

I have lately by Accident found out diverse old writings at the Council office, concerning a Tryall had in East New Jersey in The year 1695, between James Fullerton plaintiff, and Jeffery Jones Defendant, on a Suit in Ejectment for Lands held by the plaintiff from the Proprietors there, which the Defendant Occupied

and was in possession of, deriving his Right by Possession, Indian purchase and Conveyance from Coll Richard Nicholls, Deputy Governor, And Agent of The Duke of York; And the plaintiff pleaded his Right in behalf of the Proprietors; which Cause at The tryall before the Court of Common Right in New Jersey, was, after a fair tryall, given by the Jury in favour of Jones the Defendant, by bringing in a General Verdict; but the Court, as they had directed the Jury to Bring in their verdict Special, leaving the point of Law to the Judges, would not accept of the Verdict; and upon a pretty deal of deliberation (Notwithstanding the Verdict of the Jury) gave Judgement for ffullerton, the plaintiff with Costs of Suit; whereupon the Defendant appealed to the King in Council; which was not granted by the Court; but on his Petition here, it was allowed him, and after The matter had been referred to the Board of Trade, and their Report thereupon to the Lords Committee of Council, and an Answer Returned, from the Proprietors, to Jones's Petition, the appeal Came on to be Solemnly heard and Argued by Council before the Said Lords Committee, who awarded the Said Judgement of the Court of New Jersey to be Reversed, and accordingly it was Confirmed by the King in Council, in favour of the Appellant Jones by reversing and making void the Said Judgement.'

This Case, as I take it, is exactly Similar to the present Circumstances of the Land holders now in your Province. Copies of Several of the Said writings I have obtained, and herewith send Thee Some of them for further information. Viz' of Jones's Petition, an Abbreviated Abstract of The Proceedings of The Case before the Court in New Jersey, and of the King in Council's Order for reversing The Judgement of the

¹ This case is referred to in the appendix to the Elizabethtown Bill in Chancery, Schedule 13, p. 122. Ed.

said Court— And I have been thinking, in order to quiet the Minds of The people, who may have Such Dismall apprehensions of the Precariousness of the Titles to their Estates, That if two or three of Them would now permitt a fair tryall to be had there in the Province, and if Cast, would appeal to the King in Council to try the Validities of the Titles, they would find their account in it, and it is what by all means I would Recommend and advise them to; and if they will Transmitt their appeal to me, together with the proper powers and requisites, I would act for their interest in The Best manner I am capable of, with the Assistance of an able Solicitor and Counsel, and am not without hopes of Succeeding to their Satisfaction. This Course will be much more honourable for them to take, Than to Continue in Such a Tumultuous distracted Condition as they have of late pursued, and be under the necessity of Submitting to force of Arms, which I doubt will be the Consequence, by the Government's Sending over forces from hence for that purpose; and at last the Province be obliged to pay the Expence

I therefore Intreat this matter may be laid before the Assembly as early as possible, and Recommended in The warmest manner to the Chief of the Rioters; for I do assure them the unwarrantable Methods they have taken, is highly dishonourable, will no ways answer their purpose, and is disgustfull, and very greatly Resented by the Ministry. Let me have their answer as Soon as possible, to lay before those in Authority here; and in The mean time I intend to acquaint Some of Them of this my advice and Recommendation, hoping they will be prevailed upon to wait a Suitable time yet, without giving orders for violent measures to be pursued.

I am Thy friend

R^o PARTRIDGE

Letter from Ferdinand John Paris to James Alexander—concerning the condition of the affairs of the Province in London.

[From an Original Copy among the papers of Mr. Paris in the Library of the N. J. Hist. Soc., Bundle X, No. 78.]

James Alexander Esq.

Surrey Street London 7 June 1749

Sir

[Extracts.]

My last was writ in hurry On 26. May, as soon as I came back from the hearing before the Board of Trade on the New Jersey Ryots * * * * * In my hurry then I omitted to tell you, that y^e Lords of Trade (consisting of y^e E of Halifax, L^d Dupplin, M^r Pitt M^r Fane & M^r Grenville present and hearing) thought that M^r Belcher had greatly exceeded his power in passing an Act to pardon *Treason*. Another thing they made me An Offer of (if I believed that might temporise, & conciliate y^e minds of An Assembly) namely to give them leave to make a little more paper money; w^{ch} was a great condescension from that Board, who had Just now bro^t into parliament, & laboured a Bill to C all paper money in America * * * * * So much, by way of Supplement to my last Letter. Since which time the Board of Trade have had Sev^l Meetings on this Affair & are to have a great Meeting of the Lord Chan^l & both y^e Sec^{rys} of State on it as soon as the parliam^t is up & are very fearful lest y^e Flame Should spread too far in New Jersey, Or in y^e Neighbouring provinces * * * * * I am to Acquaint you that M^r Penn has waited on Lord Halifax & others of y^e B^d of Trade, & On y^e Duke of Bedford & other Great men, very

many times, on this question, & lent every powerful Assistance w^{ch} could a desired, but the New Jersey Society have given them Selves n^o Sort of trouble abo' it, leaving it to take its course. I have consulted M^r Penn, On the p^{re}sent Appearance that Forces will be sent over & On yo^r apprehensions of y^r Expense w^{ch} that measure must Occasion to New Jersey. You Should know best, whether it will be such an Expense, or whether it is one at New York? but we know that the Comss^{rs} at New York are here p^{ro}vided for by p^{ro}liam^t as part of the Establishm^t!

* * * * * The Bill to Annihilate yo^r paper mony is laid by (decently) for this Session.* * * * *

I am Your most obed^t h^{ble} Serv^t

FERD JOHN PARIS.

Extract from a letter to Ferdinand John Paris from two members of the Council of New Jersey relating to the Assembly.

[From F R O B T New Jersey, Vol VI G 12.]

Copy taken out of a Letter, from two of the Members of his Majestys Council in New Jersey, to M^r Paris in London, dated the 24th of April 1749 [and by him transmitted to John Pownall Esq^r June 9th 1749.]

As the Locusts in Hungary, eat up every green thing, before them, So have the Ryoters destroyed all the Timber, on the Lands on the East Side of Passaick River behind Newark & Elizabeth Town, belonging to Many private persons here & in England, And, Now, they have, in great numbers, armed, got Over Passaick River, into the Lands of the Proprietarys of Pensilva-

nia, who have abo' 20,000, Acres of well Timber'd Land there, & into the Lands of many other West Jersey Proprietors, adjoyning & near to them; Notwithstanding Sundry positive Laws, made for the preservac'on of Timber, & to prohibit the Transportac'on, Yet, All Laws are laughed at, & disregarded, & they, with force, cutt, carry & transport Timber, in the Face of the Magistrates & defy them, & the Magistrates do run the risque of their Lives, even to Reason with them upon the Injustice of thos Courses, For, as to using force, they have not the least prospect of Succeeding in it. The Countenance given to the Rioters, by the two last Sessions of Assembly, has greatly encreased their Numbers, & they will daily encrease, till his Ma^y shall interpose (we are afraid) in some More effectual way, than by Writing, or Threats, however prudent it may be to use those, first

Letter from Ferdinand John Paris to John Pownall, Esq. transmitting several papers relating to the rebellion in New Jersey, for the information of the Lords of Trade.

(From P. R. O. B. T. New Jersey, Vol. VI. c. 20.)

John Pownall Esq^r

Surry Street Saturday Morn^g 10 June 1749

Sir

Late last night, the Master of the Ship Nehuchadnezzar, being come up, I Rece'd my Packett, Contain- ing, amongst other things, the papers menc'oned in the enclosed List: All which papers there menc'oned I herewith transmitt to you, thus imediately, for the

informac'on of the Right Hono^{ble} the Lords Com^{rs} for Trade & Plantac'ons.

I have had Sent to me, A Continuac'on of the Brief State of Facts, from the 6th of Dec^r 1748 to the 14th of April 1749, Of which a Copy is making against this Night, or at furthest Monday morning, for my Lords Com^{rs}

In the meantime, I am,
Sir, Your most obedient humble Serv^t
FERD JOHN PARIS

A LIST of papers relating to the Rebellion in New Jersey, this day delivered, into the Office of the Lords Commissioners for Trade & plantac'ons, by Ferdinando John Paris.

- | | |
|-----------|---|
| A | <p>Printed Votes of New Jersey Assembly, from 20. Feb: 1748. to 25 Mar^d 1749, both Days inclusive.</p> <p>Manuscript Copy of Minutes of the New Jersey Council in Legislature, from 21. Feb 1748, to 28. Mar^d 1749, both days included.</p> <p>All in a paper book, attested by James Alexander, Rob^t H: Morris & Andrew Johnston Esq^r: Three of his Majestys Councill.</p> |
| B | <p>The Copy of the Councill of Proprietors Third Proposal to the Ryoters Com^{tee} to bring on a Tryal, give Security, &c, dated 10. April 1749. The Copy of the Answer by the Ryoters Com^{tee} dated 12. April 1749.</p> <p>The Copy of the Councill of proprietors Reply, dated 13. April 1748.</p> <p>And an Original Affidavit (to prove the s^d three last menc'oned papers Delivered &c) made the 14th of April 1749.</p> |

FERD JOHN PARIS

Letter from Ferdinand John Paris to John Pownall, Esq., transmitting documents relating to the Riots in New Jersey.

[From P. R. O. B. T. New Jersey, Vol. VI, (1722.)]

John Pownall Esq^r

Surry Street, London. 11. June 1749.

Sir

In addi^{con} to mine of yesterday Mornings date I beg leave herewith to transmitt you a Copy (as sent to me from New Jersey) of the Continuac^{on} of the State of Facts, down to the 14th of April last inclusive, & a Copy of an Affidavit of Daniel Cooper Esq^r that day made there. I beseech you to lay the same, with all Speed, before my Lords Com^{rs} for Trade & Plantac^{ons}, & Am,

Sir, Your most Obedient humble Serv^t

FERD JOHN PARIS

Copy of the Affidavit of Daniel Cooper Esq^r
rec^ded in London 9. June 1749

Daniel Cooper Esq^r One of his Majesty's Justices of the Peace for the County of Morris, being duely sworn on the Holy Evangelists, on his Oath declared that, during the Six Months while the Pardon Act was last Year in Being & in Force, the Destruction of Timber, on the South East Side of Pasaick River, continued, or rather *increased*, & that it's melancholly to see the Destruction there, of the finest Timbered Land of this Province, they being now strowed with fine Trees cut down, & two or three Lengths of Staves taken out, &

all the Rest left a rotting, whereas the Rest might have been mostly used for *Ship Timber*; That the Timber, on the South East Side of Pasaick, being, last Year, mostly destroyed, those Vagabonds got, Last Winter, over Pasaick River, into the Great Swamp, belonging to the Proprietarys of Pensilvania, to Doweckra's Heirs, & Others, and are committing, *to this Day*, the like Destruction of Timber there, and he verily believes, the Number of those Vagabonds, Destroyers, does now, *daily, encrease*. That their *Force is far Superior to any, that any of the Magistrates can raise*. That, as he conceived his Duty was, he has gone, several Times, to endeavour to persuade them to desist, but to no Effect; That One Time, upon that Occasion, a Blow, with a Club, was aimed at this Deponent, by One of them, which, had not this Deponent got out of the Way of it, he verily believes, might have killed him, as the Blow struck upon a Fence, &, *with the Force of it, the Club was shivered to Pieces*. And further sayth not.

DANIEL COOPER

Sworn the fourteenth Day of
April 1749. Before Ja: Alexander,

A Second Addition to,
or
Continuac'on of,
The Brief State of Facts Con-
cerning the Riots & Insurrections,
down to 14. Apl. 1749.
rece'd in London 9 June 1749.

A Second Addition to the Brief State of Facts, concerning the Riots & Insurrections in New Jersey, & the Remedys attempted by the Gov'm', & the Legisla-

ture, to put an End to them, & to restore the Peace of the Province; Which Brief State of Facts is entred in the Minutes of Council of Jan^y 11th 1747-8: And the first Addition thereto, is entred in the Minutes of Council of Dec^r 8th 1748.

1748. Dec^r 6. A Copy of his Excell^{ty} Speech, of the 3^d being layd before the Council, On the next Day an humble Address was agreed on, & signed, in Answer thereto.

1748. Dec^r 8. The Council sent One Message to the Assembly demanding a free Conference, on the Subject Matter of the Traitors & Rioters; And another Message, demanding a free Conference, on the Subject Matter of the Coiners & Counterfeiters; As by s^d Messages in the Minutes of Council & Assembly may appear.

1748. Dec^r 9. The Council presented their Address, to his Excell^{ty} in Answer to his Speech of the 3^d of that Month, heartily thanking his Excellency for his s^d Speech, & his just Sentiments therein; and heartily concurring, with his Opinion, concerning the Traitors, Rioters, Coiners & Counterfeiters, and declaring (if we cannot put an End to these Disorders among Ourselves) their Readiness to joyn, with his Excell^{ty}, in laying the State and Condition of this Province at his Ma^{ty}. To which Address his Excell^{ty} made a favourable Answer, As by the s^d Address & Answer, entred in the Minutes of Council of Dec^r 9th & 10th may appear.

1748. Dec^r 9. Afterwards, On the same Day, the House of Assembly presented their Address, in Answer to his Excell^{ty} Speech, wherein, they seem to *doubt*. Whether the Aid of the Legislature be necessary, for bringing the s^d Criminals to Justice, & desire the Laws in Being to be put more fully in Execution, ag^t them; And, if then, they prove insufficient, their particular Defects may be pointed out, to the next Meeting of the Assembly, that they may be able to do what may

be further necessary to be done, on the Occasion To which Address, his Excellency gave an Answer, Observing on the Want of Substance therein: And further, still recommending to them, the Doing what he mentioned there, & in his Speech; For that, otherwise, this Province would be a Scene of Wild Distraction & Confusion, & a Stage for every Evil Work. As by the Minutes of Council & Assembly of the 9th & 10th of Dec^r last, may appear.

1748. Dec^r 10. The Assembly sends, to the Council, an Answer to the Two Messages of the 8th without saying, whether they wo^d conferr, or not, on the Subject Matters men^d in these Messages of the Council: But referring the Council to the Address of the Assembly of the Day before, for their Sentiments on those Points. As by the Minutes of Council & Assembly of that Day may appear.

1748. Dec^r 12: The Council send a Message, to the Assembly, in Answer to theirs of the 10th, contain^g sundry Resolves of the Council, concerning the Coiners, Counterfeiters, Traitors & Rioters, & the means to bring them to Justice, & observing on the many Recommendations to them, for 3 years past, of the Affair of the Traitors & Rioters, & on the Answer of the Assembly, to those Recommendations; And particularly, on what was Voted, & done, by the Legislature, on that Affair, in Jan^r & Feb^r 1747 8; And on the Inconsistency, of their now Address, with those Things: And pointing to the Evidences, layd before the Assembly, upon his Excell^{ty}s Speech, by which, it appeared, that the Rioters were continually increasing in Numbers & Strength, & plundering the Estates of Private Persons, with Impunity, & that his Ma^{ty}s suffering Subjects co^d have no Redress, as None of those Evil Doers could be kept in Prison, longer than they themselves pleased; And observing that, Nothing in the 8^d Address of the Assembly, was positive, whe^r

they we^d conferr with the Council, or not, on the Subject Matters, whereon Conferences were by them demanded; Therefore, the Council insisted on Categorical Answers, to their s^d Messages. As by the Minutes of Council of Dec^r 12th & Minutes of Assembly of Dec^r 13th may appear.

1748. Dec^r 15. The House of Assembly send a Message, to the Council, desiring to know what they had done with the Bill for Support of Gov^{mt}, then before the Council; for that, they, the Assembly, *had nothing* else, before them. As by the Minutes of Council & Assembly of that Day appears.

1748. Dec^r 15. The Council send to the Assembly an Answer, to the s^d Message, pointing out, that the Assembly *had* before them the s^d two Messages, demanding Conferences on the Subject Matters of the Traitors, Rioters, Coiners & Counterfeiters. To w^{ch} they had sent no Categorical Answers, tho by the Message of 12th insisted on; That they *had*, before them Proofs, w^{ch} shewed a traiterous Conspiracy, within this Province, ag^t his Ma^{ty}s Crown & Dignity, & Proofs, that a Number of Men, who stood indicted & accused of High Treason, go, publickly, abo^t this Province, exrting his Ma^{ty}s Subjects to Treason & Rebellion, & that all Endeavours to bring them to Justice have proved ineffectual, And that, if those Things were *nothing*, in the Eyes of the Assembly, they were sorry for it: As for them, (the Council) they conceived themselves bound, by their Oaths, to defend, his Ma^{ty}s Person, & his Crown & Dignity, to the utmost of their Power, ag^t all Treasons & Traiterous Conspiracys w^{soever}, & to disclose, & make them known, to his Ma^{ty}: and concluded with insisting on Categorical Answers to the s^d two Messages. As by the Minutes of Council & Assembly of that Day may appear.

1748. Dec^r 15. The Council, admiring at the strange

Conduct of the Assembly, in Relation to the s^d two Messages, ordered M^r Morris & M^r Antill to be a Com^{tee}, to inspect the Journals of the House of Assembly, & report what they have done, in Relation to the Traitors, Rioters & Mony Makers, & upon the Messages of the Council, demanding Conferences on those Matters? As by the Minutes of Council appears.

1748. Dec^r 16. M^r Morris & M^r Antill reported, That they had inspected the Journals of the House of Assembly, & had got Copys, attested by the Clerk, of two Minutes of that House, The One, of the 7th of Dec^r & the Other of the 15th w^{ch} were then entred on the Minutes of the Council; And by the Minute of the 7th, it appeared That the Assembly had voted, That it was *not necessary*, at that Time, to make any Law, for the more effectual bringing to Justice the Rioters & Disturbers of the Publick Peace of the Province. And, by that Minute of the 15th, The House of Assembly had made sundry Resolves, reflecting on the Message of the Co^l of the 12th Instant. As by the Minutes of Council & Assembly may appear.

1748. Dec^r 16. The Council rec^d a Message, from the Assembly, in Answer to the Message of the Co^l of the 15th, & therewith they send a Copy of the said Resolves of the Assembly of the 15th, & say the Co^l need expect *no other Answer*, at that Time, from that House.

1748. Dec^r 16. The Council resolved, that the Assembly's s^d Message, & their s^t Resolves, & their Address to his Excell^{cy}, amount^d to an *absolute Refusal* to do any Thing, at this Time, agst the s^d Criminals, & to a *Refusal to conferr* with the Co^l, on those Subjects; And made sundry Resolves, on the Consequences of those Refusals, & particularly, that it was the indispensable Duty of the Members of the Co^l to lay a Representation, before his Ma^{ty}, & Ministers of the deplorable State of this Province, in Relation to those Matters.

1748, Dec^r 16. The Council sent 3. of their Members, to acquaint his Excell^{cy} with their s^d Resolves, & to know, if his Excell^{cy} wo^d be pleased to joyn, in the s^d Represen^{ts}; Who brought Answer, That his Excell^{cy} would, very readily, join in a Represen^t, with the Co^l, in any Thing reasonable, after he had perused the Papers. Whereupon the Co^l resolved that the Members then present, would, on Thursday then next, meet at Burlington, to apply to his Excell^{cy}, to join with them, in such Represent^{ts} as sho^d be thought proper, for the Purpose afo^s

1748, Dec^r 16. The Council then considered the Reflections, cast by s^d Resolves of the Assembly, on the Councils Message of the 12th Inss^l, & came to sundry unanimous Resolutions, w^{ch} they sent, to the Assembly, in Answer thereto, As by the Minutes of the Co^l & Assembly of that Day may appear.

1748, Dec^r 16. M^r Johnston, One of the Members of the Co^l acqui^{ted} them, that his Excell^{cy} had told him, that he thought it for his Ma^{ty} Service, & the Good of this Province, once more, to try ano^r Session of Assembly, *before he joined* in any Represent^{ts}, & that he might let the Co^l know so. As by the Minutes of that Day may appear.

1748, Dec^r 16. His Excellency gave his Assent to the Bills passed by the two Houses, & prorogued the Assembly to the 16th of Feb^r then next

1748, Dec^r 20. By the Deposition of M^rthew Philpse, of Horseneck, this Day taken, appears a *Confirmation* of what other Witnesses, formerly, deposed, concerning the Rioters, & p^ticularly, that he hapned to be present, at the Meeting, when the Rioters, at Newark, app^{ted} Assessors & Collectors, & names the p^{sons} then app^{ted}, and *how* they were chosen; Says *they have, sev^l times, laid & collected Taxes*; That it's a com^{on} Report, & the Deponent heard Emmanuel Cocker, One of the Rioters Officers, so app^{ted} as afo^s

say it, That the Com^{rs} of the Rioters, at Newark, had lately purchased a great Tract of Land beyond Rockaway, of *Andrew the Indian*, at Cramberry; That the Rioters have psons app^ld to summon them, when any of them are arrested, to meet to rescue them; That One Francis Cook, the Week before that Deposition, was abo^d, amongst the Rioters, at Horseneck, summoning them to meet, to *show themselves in their whole Number to the Gov^r at Amboy*, on the 21st of Dec^r; Says that the Rioters threaten those, who refuse to join them & to pay Taxes, to *burn them out of Possession*; And that the *Depon^t was so threatned*, & that many more have been so threatned.

1748. Dec^r 22. By the Deposition of Archibald Morrison, of Lamitank, in the Co^y of Hunterdon, this Day taken, he says, that, on the friday before, he was at a Tavern, at Pepack, & saw an *Advertism^t* sett up, at the Door thereof; That he heard it read, & believed the Substance thereof was, *That all those that belonged to the Club in the Co^{ms} of Essex, Bergen & Somerset, & the Society in the Co^y of Hunterdon, sho^d come to the House of Justice Hoard, at Woodbridge, on Wednesday, the 21st of Dec^r Inst^t*. That he heard the Purpose of their Meeting was, to lay their Grievances before the Gov^r; Says that, y^day, he saw, at Piscataway; Sundry Persons, belonging to the Club, & he ask'd them, if they were going further downward? Who answered, not; for that the Gov^r was gone to Burlington. See Mm: Council March 24th 1748-9.

1748. Dec^r 22. Six of the Members of the Coⁿ, in Pursuance of their Resolution of the 16th made & signed a Represen^t to his Ma^j, of the deplorable State of this Province, in Relation to the Traitors & Rioters, As also, One Letter, to his Grace the Duke of Bedford, his Majesty's Principal Sec^{ry} of State, & another, to the Lords Com^{rs} for Trade & Plan^{ts}, referring to the Proofs of the s^d Represent^t, in the Minutes of Coⁿ &

Assembly; And they exam^d, & attested, Copies of the Minutes of Co^{ll} of that Session, So far as concern'd the Traitors & Rioters, to go with the s^d Represent^a, to the s^d Sec^{ry} of State & Board of Trade: As by a Copy of the s^d Represent^a & Purport of the s^d Letters, entred on the Minutes of Council of Mar^h 25th 1749. may appear.

1748-9. Jan^y His Excellency dissolved the last Assembly, & issued Writs for calling a New Assembly, w^{ch} met the 20th of Feb^y, (17. of the old Members, & 7. New Ones.)

1748-9. Feb^y M^r Nevill, 2^d Judge of the Supream Court, took 3 Depos^{ns}, concerning the Meeting of the Rioters, at Justice Heard's, men^d in Phillipse's & Morrison's Depos^{ns} before, viz^t of *John Heard, Stephen Craine, & W^m Tillman*. Which shew that upwards of 20. of the Rioters, amongst whom was *Amos Roberts*, mett, at the House of the s^d John Heard. One Day in the Week after the End of the then last Session of Assembly; And sayd, They expected *ser^t hundreds* then to meet there, to go & shew the Gov^r *that the Mob Party were the strongest & greatest Part of the Province*; That they assaulted, & used many Threatnings to, Justice Heard; They *dared* the putting any of them, in Amboy Goal, again: And *threatned*. if they did, to *pull it down to the Ground*; The s^d *Amos Roberts* vaunted that he had *300 Men at his Call*, at any Time; They damned the Township of Woodbridge: & sayd, there was not a Man in it; & that they wo^d *drive the whole Town*; That the said *Amos Roberts* was revered by the Company, as if he had been a King. As by the Substance, entred in the Minutes of Co^{ll} of March 24th 1748-9. appears.

1748-9. Feb^y 21. The Gov^r made a Speech to the Co^{ll} & Assembly, telling them the Reason of his calling them together was, to suppress the Disorders, & to restore the Peace, of the Province, by raising Mony to

guard the Goals; & press'd the Matter upon them, in very strong Terms, & pticularly, that he must represent the Matter to his Ma^{ty}, if they did not.

Mar^h 4. The Council address his Excell^{cy}, upon his Speech, declaring their Approbⁿ of calling them together, & of all Steps tending to that good End, & their Readiness to join, in any effectual Measures, for restoring the Peace of the Province.

Mar^h 7. The Assembly address the Gov^r, in Answer to his Speech, refusing to raise any Money for *guarding the Goals*, Using sundry Insinuations, in Favour of the Rioters, & taking upon them to direct him, *how he shall represent the Matter to his Majesty*.

Mar^h 15, Mar^h 16. & 25. The Assembly having sent the Quota Bill up, to the Council, in the same Form as had been done the two preceding Sessions, The Council amended it, *agreeable to the Royal Instruction*. That Amendment, the Assembly *rejected*. The Council adhered to their Amendment, and pointed out the Reasons, and demanded a Conference.

The Assembly *refused a Conference*. And, by their Message of 25th March, endeavour to render the Council odious to the People of the Province, for insisting on the not breaking thro^u the Kings Instruction.

1748-9 Mar^h 16. The Gov^r answers the Address of the Assembly, & again presses on them, in the strongest Terms, to do what is necessary for suppressing & preventing Riots; And, if they did it not, may not they be justly thought Accessarys, with the Rioters? &c.

Mar^h 18. Two Men, pretending to be fully impowered by the Majority of the People who claim Lands by Indian Purchases before 1703, propose a Trial, to Mess^{rs} Alexander & Morris, Owners of 12,500. Acres at Horseneck, w^{ch} some Men pretend to have purchased of the Indians. To which, the s^d Alexander & Morris, answer, desiring to see them, & their Powers,

at Perth Amboy, at next Supream Court, & they would, then, with Advice of their Coⁿ give an Answer to their Proposals. This Proposal & Answer, the Assembly print, in their Minutes, & by N^o 12. 15. 16. & 17. of M. A. noted on, endeavour to represent *this* Dispute as the Cause of the Rioting, & the s^d Alexander & Morris as the Causers, & to render them odious to the Province, & insinuate, That the accepting the Tryal propos'd, will restore the Peace of the Province: A Plot laid, abo^t the End of the Decem^r Session, we suppose in Revenge for said Alexander & Morris's vigorously pushing the Affair of the Rioters to a Crisis during that Session, And a very improbable Plot, *As no Riot was ever comitted on, or concerning, any Suit bro^t by Alexander & Morris, in Relation to these Lands;* But yet, it's suppos'd that the Assembly thought they had laid these Gentleⁿ under an inextricable Dilemma; for, if they *refused* the Proposals, then, were *they* to be esteemed the Cause of the Continuance of the Riots, & all the ill Consequences of the Riots to the Province were to be layd at *their* Door, & they would, thereby, be made horrible to the People. If they accepted the Offer, in these Terms proposed, it wo^d be owning that the Continuance of the Riots depended on that Tryal; & consequently, no Need of the Kings Interposition, till that Tryal was over, w^{ch} they could find Pretences enough easily to delay, or if pushed to a Tryal, there's Room left, on the Rioters Part, to push for a gen^l Verdict, & *as a great Majority of the People, at present are Favourers of the Rioters,* it wo^d be impossible to get any Struck Jury, but the Majority of them wo^d be such.

Mar^h 21. The Assembly send a Message, to the Gov^r, acquainting him that they had a Petition from 170. Persons, whereof some who had been led unadvisedly, to commit Riots &c. were convinced, that such Practices were wrong, & illegal, & had prayed

the House to petition his Excell^{ty} for an *Act of Grace*, desiring only a fair Tryal for their Lands, before disinterested Judges, & set forth the s^d Proposal, w^{ch} they hope will be accepted, & accord^{ly} pray his Excell^{ty} to grant such *Act of Grace*; To w^{ch}, the Gov^r answers, he would do all, in his Power, to restore the Peace of the Colony, by joining with the other Branches of the Legislature, in such Measures as they shall think proper for that Purpose.

Mar^h 22. The Assembly send a Message, to the Council, acquainting them with their Message to the Gov^r, & his Answer, & requesting a Conference, on the Subject Matter thereof.

Mar^h 23. The Council, in Answer, shew, They have *no Right* to conferr with the Assembly, on the *Point of the Pardon*; As to the *other Point*, they agree to a Conference, & appoint a Com^{tee} & Time & Place.

1749. Mar^h 25. The Com^{tees} of both Houses make Report of what was propos'd on the Conference for restoring the Peace of the Province, viz:

If his Excell^{ty} wo^d grant a Pardon, then, the Co^l Sho^d join, with the Assembly, in an Act, to stay all Process at Law, agst the Rioters, concerning Titles of Land &c for such Time as sho^d be agreed on by both Houses; And the Com^{tee} of the Assembly proposed *nothing else*, th^o pressed to it by the Com^{tee} of the Council.

1749. Mar^h 25. The Assembly send a Message, to the Gov^r, in Answer to his second Speech to them, *Confirming their former Refusal to do any Thing ag^t the Rioters*.

1749. Mar^h 25. The Represent^{ts} to his Ma^{ty} of Dec^r 22^d 1748. is laid, before the Council, & *all* the Counsellors, who had not joined in it, being then present, all *unanimously approved of it*.

Mar^h 28. The Co^l agree on the Form of a Letter, to his Grace, the Duke of Bedford, acquainting him, with

the s^d Approbation, the dissolving last Assembly. Calling a New, & their Refusal to do any Thing ag^t the Rioters, but did many Things *in their Favour* &c. Four fair Copys are signed, by the Counsellors, two to be transmitted to his Grace, & two, to the Lords of Trade, by different Conveyances. See Notes on it, pointing to the Proof of Facts, alledged ag^t the Assembly in it.

Mar^b 28. The Gov^t assented to the Acts passed, & adjourned the Assembly to the 18th of May.

1749. Apr^l 10. The Council of Proprietors of E. Jersey agree on an Answer to the Proposal in M. A. of Mar^b 18th Shewing the Untruth therein, of *their* being always ready for a Tryal; & renewing the Proposals, in the Proprietors 2^d Publication; declaring they renew them, in Compliance with the Recommendation of the Assembly, not believing it will have any such Effect as the Assembly think, *as none of the Riots have ever been committed on any Suit of theirs, or of Alexander & Morris*; And averring that One, or more, of the three Judges of the Supream Court have, for Eight Years past, been disinterested, in the Point in Controversy.

1749. Apr^l 12. Five of the Com^{tee} of the Rioters at Newark, came & offered Security, to stand Tryal, pursuant to the Proposal of Mar^b 18, as per Copy of their Offer in Writing there, but shewed *no Powers*; They were told of what the Council of Prop^{rs} had agreed to, & promised that One of their Number would call for Copy of it, on fryday.

1749. Apr^l 13. Alexander & Morris draw an Answer, to the Offer of the 12th, observing on their not producing the Powers, they sayd they had, And that the Officers co^d not bind those they had any Concern with, *without authentick Powers* from them; & declaring their *Readiness* to treat with them, *on producing their Powers*.

1749. Apr^l 14. Fryday, the Person came, who agreed to call this Day, & the Clerk of the Council of Proprietors gave him an Original, Signed by him, of the Council of Proprietors Answer of the 10th, & an Original, signed by Morris & Alexander, of their Answer of the 13th, & makes Oath to the Delivery of these under Copys of them, & of Paper of the 12th

Letter from James Alexander to David Ogden—on the propriety of trying the rioters in Essex County.

(From the Original Draft among the Papers of Mr. Alexander, Vol. II, No. 11 in Rutherford Collection.)

[To M^r David Ogden Newark]

New York June 23^d 1749

Sir

[Extract.]

* * * * * I told M^r Johnston That I thought it as much as my neck was worth to Consent to try any of the Rioters by a Jury of the County of Essex untill directions came from his Majesty or Minsters on the Representations Sint * * * * * I told M^r Johnston Also that the fear of their further Rioting, or if even all New Jersey Should Join them Man and Woman it should not induce me to advise Such a thing till directions from Home, for if they All Should Join, I doubted not but That his Majesty could and and would restore his Government and Laws in New Jersey and make lasting Examples of them who had rebelled against Them and overturned them

I ask'd M^r Johnston, Suppose an Impartial Jury could be found in Essex, and found Some of those Accused of high treason to be Guilty, and That The Judges pronounced The Judgement of High Treason

against Them, whether These Judgements could now be Executed in Essex County? He owned he could not Say that they Could. I told him Then it must be betraying and trifling with Justice, to trye, when the Sentence cannot be Executed. * * * I am &c

JA: ALEXANDER

Letter from Governor Belcher to the Duke of Bedford about the affairs of the Province—complaints against him, etc.

From P. R. O. America and West Indies. Vol. XIV. p. 376.]

Burlington New Jersey 24th June 1749.

May it please your Grace

I did myself the honour, of writing your Grace, 21: and 22: April Last, with sundry publick papers, relating to the Government of this Province, Duplicates whereof, I have now the honour, to transmit to your Graces.

I have lying before Me, your Graces Letters, of 16th December, and of 6th February, which last came to hand, 21: of May, with His Majestys Proclamation, in Conformity, to a Definitive Treaty, of Peace, between His Majesty, and the most Christian King, together with the States General, of the United Provinces; and the Accession thereto, of the other powers, concerned in the late Warr, the said Proclamation has been duly publisht in this Province.

Your Graces Other Letter of 16: December; I received the 14th instant, and Shall Conform my Self, to the directions therein by aiding and Assisting Any Person, or persons, that may be Appointed, by the Tresurer, of the Royal Hospital at Greenwich to recover, and

receive any unclaimed Shares of Prizes, due to the Said Hospital, in this Province.

I have now the honour to Send your Grace The Transactions, of the general Assembly, of this Province, in their last Session (being held at this place Viz'

The Several Acts of the Legislature, each of them, Separate, under the Seal, of the Province.

Transcripts of the Journals, of the Council, and

The printed Journals, of the Assembly

These Several Acts, I think, will advance His Majestys Authority and the Welfare, of this Province, and therefore I humbly Ask your Grace's favourable representation, of them, for the Royal Approbation

I would now humbly crave your Graces leave to Say, That I am informed, by one of the last Ships, from England, That your Grace had received some Letters, from hence, that had a Tendency, to beget in your Grace, some unfavourable Thoughts, of my Administration, of the Kings Government, in this Province.

I esteem it, My Lord Duke, my honour, and happiness, to be placed at the head, of One of the Kings Provinces in America, and so am naturally fall under your Graces more especial Care, and direction, As One of His Majestys principal Secretaries, of State.

I am told, May It please your Grace, that my Not joining with Six, of His Majestys Council, of this Province, in a Representation, they made, to the King, in December last, respecting the long Standing Affair, of the Rioters, in this Province had given your Grace, to think, I had been wanting, in my duty to His Majesty: To clear this Matter up, to your Grace, I would humbly beg leave, to Say

That your Grace is Sensible the Constitution of the Government, of this Province, is founded, in a Governor, Council, and Assembly; and this by the Kings Commission; and it was, doubtless, always intended,

Each Branch, of the Government, might, and ought, to act in all Things, relating to the Kings honour, and Interest, and the Welfare of his people, According to their best Sentiments, with freedom, and without Restraint, and if they Act with Integrity (Altho' they Should Sometimes happen to Mistake in judgment) yet, My Lord Duke, It is humbly hoped, they should be heard, before any Opinion, or Censure, be found Against them; What these Six Gentlemen wrote, was not as the Kings Council, For no Sitting of Council, was Subsisting. When they transacted, What they Sent to your Grace, yet when they Applied to Me, I told them, when they had drawn up their Matters, and Laid them before Me, I would make the best Judgment, I could, on them, and Act Either jointly, with them, Or Separately, by My Self, as I Should judge best, but this proposal they did not Seem to be pleased with, And the true reasons Why I did not Act jointly, with them, in the Matter were

That I thought it more for the Kings honour, That His Majesty's Governour Should Act his part, by himself, than in Conjunction, with Any Other part, of the Legislature, and much less to join with Such, who at the time could Act onely As private Persons

Another Reason, why I did not write your Grace, When those Gentlemen did, Was, that I thought it best, to trye Another Assembly, hoping they might fall into a better way of thinking, and So prevent my giving your Grace any Trouble in the Affair.

I Accordingly dissolved that Assembly, and Called a New One and ordered a Session, purely on this Matter, and which held five weeks, to no good purpose. As your Grace will find, by the Journals, of the Assembly, Sent to your Grace, in April last, Which with what I then wrote, I hope, will Set Me quite right, in your Graces just and honourable Opinion; From my First Arrival here, to this time, I have, my Lord Duke,

done all in my power, for Suppressing the Tumults, and Disorders, I found this Province In when I came to the Government, and had So been for many years before

Nor could any of my predecessors, Stop, or Quell the Spirit & proceedings, of these Audacious Villains: I would therefore humbly refer your Grace, to what I wrote on this head, in April last, and now renew my request, to your Grace, for the Kings Especial Orders, for my future Conduct, in this difficult Affair; and which I shall dutifully pursue, as far As may be in my power, And till this Matter is Over I don't expect, the Assembly will do anything for His Majestys Interest, or honour, or the Safety, and Welfare, of this People, There is no Money in the public Treasury, Nor will the Assembly grant any Money, in such manner, As the Council can comply with, for the Support of the Government, that the Kings Officers, and all others, who have demands on the Government, are very unjustly treated

I am Sorry, May it please your Grace, That I find by my last Letters, I have Occasion, to Say Something, in vindication of my own Character, distinct from the Affair, of which I have wrote So Particularly

I would then humbly represent to your Grace, That I was 11 Years, Governour of two of the Kings Provinces, in New England from whence, I was removed, thro' y^e unparralled Lying, and Libelling, of my Enemies, and yet I defy the worst of them, to tax Me (and Support it) with the least unfaithfullness, in the Kings Service, or of want, of Loyalty, and Duty, to His Majesty, and to His Royal House; for of this I gave early proofs, in two Tours I made to Hannover, to pay my Duty, to the present Royal Family, Above forty years Agoe, and was then, the only english American, that had been, at the Court, of Hannover:

I ask your Graces pardon, for the length, of this

Letter, to which I have been led, by the nature, of Its Subject, For I will always endeavour, to do justice to my own Character, which is as dear to Me, as my Life & I am, with all possible regard, and duty

May it please your Grace Your Graces

Most devoted Most Obedient and Most Humble Serv^t
J. BELCHER

*Letter from Governor Belcher to the Lords of Trade -
desiring directions as to the management of the
Riots.*

From P. R. O. B. T. New Jersey, Vol. VI. G 33.

Burlington N. J. June 27, 1749

May it please your Lordships

My Last were 21: and 22: April, and at large, Duplicates whereof, go herewith, and Since those, I have not the honour, of any from your Lordships:

I now confirm all I then wrote you, more especially respecting the long subsisting Affair, of the Rioters, in this Province, in which, I pray your Lordships, to let Me, be furnisht, with the Kings especial Directions, which I shall carry into Execution to the Utmost, of My power.

There is at Present, My Lords a great Crye of Injustice in the Province, There being no Money, in the publick Treasury, for payment of the Kings Officers, or Any Others, that have demands, on the Government, and the Assembly refuse, to raise Any Money, but in Such a Manner, As the Council think, they Ought not to give into; and indeed, My Lords, I have but Slender hopes, of the Assemblys doing Any thing, for the Kings Service, or for the good, of the People,

'till the Tumults and disorders, in many parts of the Province, are well brought to an End]

I am endeavouring to get an Account, of the Exports, and Imports, of the Province, for 20 years past, which when done, shall be Sent your Lordships, in the best Manner I can, come at it.

I have now the honour, to transmit to your Lordships What was transacted, by the general Assembly, in their last Session, held at this place) from 20: February to 28: March. Viz^t

The Several Acts, of the Legislature, each of them Separate, under the Seal, of the Province

Transcripts of the journals, of the Council And

The printed journals, of the Assembly

As the reasons for passing, the Acts I now send your Lordships are so Apparent, in the preambles, to the Several Acts, I have no Observations to make upon them, Only that As I think, they have a Tendency, to promote the Kings honour, and Interest, and the Welfare of His People; I hope, they will have your Lordship's favour, towards their Obtaining the Royal Sanction: I have the honour to be with great Respect

My Lords Your Lordships

Most Obedient and Most Humble Servant

J BELCHER

Letter from Ferdinand John Paris to James Alexander—about his proceedings in London.

(From the Original Letter among Mr. Alexander's Papers, Vol III. No. 20. in the Rutherford Collection—compared with a copy among the Papers of Mr. Paris in the Library of the New Jersey Historical Society.)

Surry Street, London 4. July 1749.

Sir

[Extracts.]

* * * * * On the 8th & 9th of June last I Rec^d the Publick & Private L^re from Yo^r Self & M^r Chief Justice Morris, of the 24th of April last, & the Papers

which accompanied them * * * * * Since the laying those papers before [the Lords of Trade] I have almost daily attended them, & my L^d Halifax, first Com^r of the Board of Trade, takes the Matter quite to heart, & has solicited all the great Ministers of State (who are extraordinary Members of that Board) to give a solemn Meeting on this Occasion, at the Board of Trade, in Order, by a joint Deliberation, to make a solemn Report on this affair, which w^od after being so settled, go, afterwards, of Course & be carried into Execution. * * * * * I am daily, in Expectation, it will be held; If the Great Men do, much longer, delay to meet, My L^d Halifax says, the Delay in a Matter of this Importance, shall never lay at *his* door, nor at the Door of the Board of Trade, for that *they* will make their own Rep^t to the Privy Co^l, & acquit themselves, of their own Duty whe^r other People will do so, or not * * * * * I can acquaint You, being so told at the Publick Board, Openly, by the Head of the Board himself that the Lords of Trade think very honourably of the Members of the Co^l for the Parts they have acted, as well in supporting the King's Authority, as in calling upon the Gov^r to represent this Matter to the King & his Ministers, & also in representing the same, on their Part, to the Crown & its Officers. They have * * * * * denounced the utmost Wrath ag^t the Gov^r on that Head, as taking his Silence for a Sufficient Guilt in itself, & as a Proof that his Inclinations were in Favour of these Disturbances. The Board has publickly declared, that they see thro the Artifices of the Rioters, in endeavouring to palm upon the World that a private Dispute, between them, on the One Side, & Yo^r Self & M^r Chief Justice on the other, was the Ground of the present Disorders, & have expressly told me, that they very much approve of the Reply, w^{ch} You & M^r Ch^r Justice made to Rioters Proposal & Your Conduct on the

'till the Tumults and disorders, in many parts of the Province, are well brought to an End]

I am endeavouring to get an Account, of the Exports, and Imports, of the Province, for 20: years past, which when done, shall be Sent your Lordships, in the best Manner I can, come at it.

I have now the honour, to transmit to your Lordships What was transacted, by the general Assembly, in their last Session, held at this place) from 20: February to 28: March. Viz:

The Several Acts, of the Legislature, each of them Separate, under the Seal, of the Province

Transcripts of the journals, of the Council— And

The printed journals, of the Assembly—

As the reasons for passing, the Acts I now send your Lordships are so Apparent, in the preambles, to the Several Acts, I have no Observations to make upon them, Onely that As I think, they have a Tendency, to promote the Kings honour, and Interest, and the Welfare of His People; I hope, they will have your Lordship's favour, towards their Obtaining the Royal Sanction: I have the honour to be with great Respect—

My Lords Your Lordships

Most Obedient and Most Humble Servant

J BELCHER

Letter from Ferdinand John Paris to James Alexander—about his proceedings in London.

[From the Original Letter among Mr. Alexander's Papers, Vol III, No. 20, in the Ruthertford Collection, compared with a copy among the Papers of Mr. Paris in the Library of the New Jersey Historical Society.]

Surry Street, London 4. July 1749.

Sir

[Extracts.]

* * * * * On the 8th & 9th of June last I Rec^d the Publick & Private L^re from Yo^r Self & M^r Chief Justice Morris, of the 24th of April last, & the Papers

which accompanied them * * * * Since the laying those papers before [the Lords of Trade] I have almost daily attended them. & my L^d Halifax, first Com^r of the Board of Trade, takes the Matter quite to heart, & has solicited all the great Ministers of State (who are extraordinary Members of that Board) to give a solemn Meeting on this Occasion, at the Board of Trade, in Order, by a joint Deliberation, to make a solemn Report on this affair, which wo^{ld} after being so settled, go, afterwards, of Course & be carried into Execution. * * * * I am daily, in Expectation, it will be held; If the Great Men do, much longer, delay to meet, My L^d Halifax says, the Delay in a Matter of this Importance, shall never lay at *his* door, nor at the Door of the Board of Trade, for that *they* will make their own Rep^t to the Privy Co^l, & acquit themselves, of their own Duty whe^r other People will do so, or not * * * * I can acquaint You, being so told at the Publick Board, Openly, by the Head of the Board himself that the Lords of Trade think very honourably of the Members of the Co^l for the Parts they have acted, as well in supporting the King's Authority, as in calling upon the Gov^r to represent this Matter to the King & his Ministers, & also in representing the same, on their Part, to the Crown & its Officers. They have * * * * denounced the utmost Wrath ag^t the Gov^r on that Head, as taking his Silence for a Sufficient Guilt in itself, & as a Proof that his Inclinations were in Favour of these Disturbances. The Board has publickly declared, that they see thro the Artifices of the Rioters, in endeavouring to palm upon the World that a private Dispute, between them, on the One Side, & Yo^r Self & M^r Chief Justice on the other, was the Ground of the present Disorders. & have expressly told me, that they very much approve of the Reply, w^{ch} You & M^r Ch: Justice made to Rioters Proposal & Your Conduct on the

alone, are not the Only p'sons that have accepted & acted in that Affair. One knows not how, in So uncom'on a Case, to Apply Any particular Rule to decide it by, but, Surely, One may venture to Say that there was *more* in it than merely the Com^{rs} Acceptance Of y^e Com^{rs} & Joyning. *Every man* in the province of New Jersey consented to that Com^{rs}, for they by their Representatives in Legislature, Consented to y^e Act for issuing that Comi'son. Nay doubly Consented to the Measure, for there was a Second Act of Assembly to run the Division, at the Same time, between East & West Jersey; Again the Com^{rs} On each Side, were not issued meerly in consequence of the Act or Acts of Assembly, but by the *additional Advice* of Council of New Jersey, as to the Very Comi'son it Self, & so it is exprest in the body of the Comi'son. Moreover, it comes Out (now) that y^e New York Com^{rs} & y^e New Jersey Com^{rs} were *both* past in totidem verbis, & both of them declared expressly, that y^e furthest p't of New Jersey extended Only to the East Side of y^e River. So that I cannot think this is a point w^{ch} is to be Supported wholly by the Com^{rs} Acceptance, & part execution of the New Jersey Com^{rs}, but that y^e whole province have Effectually Accepted of & agreed to that point, considering the nature & cir'ces of the Case.

Supposing y^e Lords of Trade should be in doubt of any Matter whatever when they come to hear y^e Act yet, it is without precedent, for them to send for y^e Judges, or to refer any point of Law to Any of y^e Judges, or to any Counsellors. I am pretty certain, no such m're has been done, for above these 40 years past, Nor is it soon to be expected; & the Lords of Trade would be Surprised, if I should propose a matter So unknown & without example.

I really think the Other point, whe^r Hudsons River is, or is not, granted to New Jersey? may have much y^e Same Answer given to it. After y^e the New Jersey

Com^{rs} * * * * * issued by advice Of y^r Co^{ll} of that province & in p^{er}suance of an Act of y^r whole Legislature of that province. & was issued in y^r same words with y^r Com^{rs} from New York expressly declared that y^r East Side of Hudsons River is y^e furthest p^{ar}t of New Jersey; For Surely, in the Com^{on} understanding of Mankind this must be lookt upon to be a point agreed upon, not by y^r Com^{rs} alone, but by y^r whole province.

I observe your Anxiety that the North partic^{on} point, settled in 1719, should, by no means be broke in upon, directly or indirectly, And you may be sure I will endeavour to my utmost, to comply with what you So much desire, The rather, for that M^r Charles (this very day) insisted that Nothing at all had been regularly done in consequence of the Com^{rs} in 1719; So that I find he is instructed to question that point here w^{ch} I shall insist can not, here, be inquired into, there being no Appeal made from what was there solemnly done by the in 1719—

The Lords of Trade (at p^{re}sent) See nothing extraordinary in (the Act) but by & by when Councill & Soll^{rs} come to open the m^{re} other * * * * * I doubt they will then find m^{re} very extraordinary. It is impossible (if our Adversarys have half An Eye in their heads) that ever this Act sho^d be ratified: A Commission, to fix the Boundary (tho^{ugh} constantly used in other Cases, you are extremely averse to) And your proposal of referring the m^{re} to Judges here or to three Councillors is as little to be expected, as An Approb^{ation} of y^r Act is, So that I really know not what good end this m^{re} can possibly come to, but we must trust to Chance—

It is but this morning that I attended the Lords of Trade & the Agents for New York & New Jersey were sum^{oned} to attend & did also attend at y^r Same time, On the foremen^t Act. You Say this present Act must

be pushed, for that no better, Or other, is to be expected, and I am as ready, & as well instructed, as ever I shall be upon this Act & my Briefs are not Only drawn but copyed & the Maps also, So that I really & Sincerely prest for a day for hearing, for this day Se-night, & prest it as strongly as if I was Sure of Success: M^r Charles urged every Argument for delay that he could invent & was drove Out of them, One by One at last he submitted * * * * I show^d the Lords that Supposing they heard the m^re at y^e time as I now proposed it would still necessarily be many months before his Ma^{ty} Approbⁿ could issue * * * all w^{ch} time the disord^r must be put an end to, in New Jersey, Or the province would be absolutely lost or destroyed. However this pretence of Mr. Charles's & the present Season of y^e year, added together determin'd the Board at last, to agree to postpone y^e Considerⁿ of the Act until M^r Charles might write by y^e Ship w^{ch} he owns is departing this week for New York & might receive An Answer thereto, but no longer.

Altho' I went with a most heavy heart to apply for the hearing (because I never went to any hearing under such Strong Self Convicⁿ, in my whole life, yet I assure you, faithfully I laboured to bring y^e Act on as truly as if I had liked the Cause. * * * * It is a misfortune upon me, that I must push On A m^re touching which I shall certainly, hereafter, suffer Some Reproach from the Board, One way Or the other, Either for not Seemg that I was aiming at a thing w^{ch} could not be done, Or, if I did See it, then, for pressing the Board, to a m^re w^{ch} I must know they could not, nor ought to do; but I must Support my Self, as well as I can under this great hardship (for, to do a thing w^{ch} may At this time of day either reflect on my comⁿ capacity, or on my integrity, you will own is a hardship) because you press for some determinacⁿ herein, but I assure you was this a matter

recommended to me by A person whom I had less regard for, no Pecuniary Reward whatsoever should drag me to it.--

* * * * *

I remain, Sir

Your most obed^t h^{ble} Serv^t

FERD JOHN PARIS

Letter from Ferdinand John Paris to James Alexander—Concerning the Riots.

[From the Original among the Papers of James Alexander, Vol. II, No. 24 in the Hutherford Collection, compared with a copy among the Paris Papers, Bundle X, No. 74.]

James Alexander Esq^r

Surry Street London 19 July 1749

Sir

[Extracts.]

Since the Time of Writing that former Letter (viz^t on the 11th Instant) I rec^d the Favour of the Publick & private Letters, from yourself & M^r Chief Justice * * * * * with the papers therewith enclosed They did not come to my Hands till 9, at Night, but Immediately Sealed up, & forwarded, the Duplicates, to the Duke of Bedford, & to the Board of Trade, that they might serve as Memorials to them, who were to have a Grand Meeting, of all the Ministry, at the Board of Trade, on the next Evening (being the 12th Instant) purely upon the Affair of the New Jersey Ryots, Accordingly, that Meeting was had before 7, in the Evening, & lasted till One in the Morning. The Lords of Trade had drawn out a more circumstantial Detail of Facts, to lay before the Ministry consisting of 28 small Sheets of Paper, which was read over, at the Meeting.

There were present, at the Meeting, the Lord Chancellor, the Dukes of Bedford & Newcastle, the Earl of Sandwich, & M^r Pelham, Chancellor of the Exchequer, besides my Lords Halifax & Dupplin, & the rest of the Ordinary Members, of the Board of Trade. After reading over that Paper, & others referred to, & great Debates I was called in, & examined, near an Hour, Every Person present having Something, or other, to ask of me, to which I gave the best Answers in my Power. The whole Drift of the Examination seemed to me, to be, to know what means (the most easy) might be effectual, to put an End to the Disturbances, & to restore Force to the Laws & Peace to the Province? I acquainted them, that I had rec'd Letters of a very late Date but the then last Night, from several of the Gentlemen, who wrote from their Knowledge of the Strength & Weakness of New York, & from the past Experience of 35 Years, that *they* imagined that *reuniting* Jersey to the York Governm^t would, effectually, answer these Purposes; Upon my making that Declaration, the Lord Chancellor declared (it seemed to Slip from him) [why, then, the greatest Part of our Difficulty is removed]—After having heard me, the Lords askt me, whether I was Agent for the Province? I told them I was Agent for his Majesty's Council & for the Council of Proprietors, of Jersey; but that the Agent for the Governor & the Assembly, was M^r Partridge, who was waiting without, and one of the Board proposed that he sho^d be called in, but it was agreed that he sho^d not be called, nor was he at all called in. After I withdrew, the Five Grand Ministers retired, by themselves, without any Secretary or Clerk, into another Room & there held a Conference, the purport whereof I don't pretend to know a Syllable of, But at breaking up, they agreed to have another Meeting but have not, as yet, appointed the Day * * * * I had almost forgot to tell you that the Lords, at the

abovementioned Meeting inquired of me what *Evidence* I had, that these Sort of Disturbances *did spread* into New York, Pensilvania, or any other Province? I acquainted them that tho' my Letters mentioned Fears & Expectations, of that Sort, yet, that I was not, at present furnisht with any particular Evidence of that Sort. * * * * * As to giving then an Account of the temporary Acquiescence of the Mob, in letting two Prisoners continue in the Goal of Newark, & one in the Goal of Perth Amboy, I thought that wholly needless, because, as you will observe the Mob know their own Strength, & also the Weakness of the Governm^t, & may return, a la Charge, Just when they Please. * * * * * I am not in the least Doubt but the Gov^r has instructed the Agent to support the Cause of the Ryoters, by every *private* Means in his Power, Yet, I shall not form an Attack, personally, against the Gov^r, untill, by some *Public* Act, or some Letter of his he attacks the Councill, or some of them * * * * * Its certain that the Gov^r is not come home, nor do I hear that his son is come. * * * * * As to M^r Penn, the Proprietors owe him great Obligations, for the Pains he has taken, & the Interest he has used, relating to the Ryots: He having made that Affair, as if it was his own, & gone round, Sev^l Times, to *every* one of the Ministers upon the Occasion & it might be proper that the Gentlemen interested should acknowledge, & thank him for his Services. * * * The Lords of Trade look on the Gov^r passing the Pardon Bill, as a great Offence & seem to think that he ought to be instantaneously Sent for Home, for that Matter *alone*, if there were nothing else to be charged against him I am

Sir Your most obed^t humble Serv^t

FERD JOHN PARIS.

Letter from Ferdinand John Paris to James Alexander—relating to the action of the Lords of Trade in connection with the Riots.

[From the Original among the Papers of James Alexander, Vol II, No. 34, in the Rutherford Collection, compared with a copy among the Papers of Mr. Paris in the Library of the N. J. Hist. Society, Bundle X, No. 78.]

James Alexander Esq^r

Surrey Street, London 21. July 1749

Sir

I have been, this Day, summoned, again to the Board of Trade, & have attended them, & been interrogated, strongly whether the Council, & Persons who complain, will be satisfied at being annexed to the York Government, & whether *that* is thought, by these Persons, to be a proper, & adequate Relief? To which, by your Orders, I have strongly adhered, & the Lords of Trade are working up a Preparatory Report, in Order to that Measure; The pardoning Treason, The presuming to enact that there should be a Stay of Proceedings in the Kings Suit ag^t Traitors for the Crime of Treason, & the other extraordinary Acts enacted, The Lords told me, that my Lord Chancellor had declared to them, were so many Acts, not only beyond the Power of the Governor, Council & Assembly to pass, but also Acts of Treason, (in the Gov^r Council & Assembly) to assume such Powers, & rob the Crown of its Prerogative, in Acts which were merely regal, & some of which, the very Act of Pardon itself expressly recited, that the Crown had excepted, & *not granted* Power to do. The Lords of Trade employed this whole Day in reading, out of their Books, the Account of Bacons Rebellion in Virginia, in 1675 & what was done then; they do not seem to resent the Council Joyning

in these Acts, aforementioned but they much resent that the Gov^r should pass any such Acts, & they find, & told me of it, that Bacon, in his Rebellion, by actual *Force*, compelled Gov^r Council & Assembly to pass an Act, to pardon the Treasons then committed, And, notwithstanding the compulsive Force exercised over all of them, Yet, the King sent over Persons, with large Powers, to pardon, & who really did pardon, the Gov^r Council & Assembly, the Treason of passing that Act, *tho' under Force*. This is a Matter material enough for a Postscript to my Letter of Yesterdays Date, And I remain

Sir Your most obed^t h^{ble} Serv^t

FERD JOHN PARIS

M^r Partridge was Yesterday in the Coffee house when my Packets of Yesterdays date was put in the Bag of the Nebuchadnezzar; Wherefore, if You don't receive them, pray give me immediate Notice

Report of the Attorney General and Solicitor General upon certain Acts passed in New Jersey in 1747-8.

(From P R O B T New Jersey, Vol VI B 27)

Report of the Attorney and Solicitor Gen^l upon
5. Acts passed in New Jersey in 1747:8. . . .
dated the 21st of July 1749.

To the Right Hon^{ble} the Lords Commissioners
for Trade and Plantations

May it please your Lordships

In pursuance of Your Lordships direction Signified to Us by M^r Hill, in his Letter of the 17th of July 1749, with the five herein after Mentioned Acts passed in

the Province of New Jersey in February 1747-8, desiring Our Opinion thereupon as Soon as We Conveniently Can. Viz'

An Act for Naturalizing Peter Landerbouch, Catherine, Elizabeth & Barbara, his three Daughters.

An Act for Punishing the Coiners & Counterfeiters of Foreign Coin passing Current And the Counterfeiters of Bills of Credit of this Province.

An Act for Avoiding Actions of Slander And for Stay of proceedings Until the first day of October 1748. in other Civil Actions against the late Rioters.

An Act for the Suppressing & Preventing of Riots, Tumults, & other disorders within this Colony.

An Act to Pardon the Persons Guilty of the Insurrections, Riots & Disorders Raised and Committed in this Province

M^r Hill is further Directed by Your Lordships to Acquaint Us, that the first of these Acts appears to be of an Unusual Nature, and that You do not find that Acts of this Sort have at any time been passed in His Majestys Colonies in America.

That the four last Mentioned Acts were passed on Occasion of Great Riots and Disorders having been committed in that Province, and which now are arose to such a height as to claim the Serious Attention of His Majesty's Ministers, who have had one Meeting thereupon, and are to meet again in a few Days: Your Lordships therefore desire that You may be favoured with Our Opinion with all possible Dispatch the Province being in the Utmost Confusion

As to the Act for Punishing Coiners &c We don't See Any Objection to that part which concerns the Coiners of Foreign Coin made currant by Lawfull Authority but the Extending the Penalty to Coiners of Foreign Coin or shall be by Common consent of the Legislature Or received as full Satisfaction for Debts, is a very improper, both on

Account of the Great Uncertainty of the Description on which a Capital Punishm^t is to depend, and the too great Credit that is given to what is called common consent, not founded on the Act of His Majesty or of the General Assembly.

As to the Act for Naturalization of Landerbouch, &c^t Since Your Lordships have been pleased to Acquaint Us by M^r Hills Letter, that You do not find any Acts of this Sort have at any time been past in His Majesty's Colonys in America, and there appears nothing Special in this Case, We can not think it Advisable to begin the Precedent now, & in this Colony.

As to the Act of Pardon to the Persons Guilty of the late Insurrections; which by the Act itself Appears to have been thought to amount to High Treason in some of the Partys; it is a matter that must rest Entirely in His Majesty's, Royal Breast, weighing all the Circumstances & Consequences that may be foreseen or Apprehended.

[But it appears to Us Very Extraordinary that in a Matter of so great Moment in Which the Peace of the whole Province has been disturbed, and the Conduct of the Rioters Seem to have been no less than a Rebellion, and the only Alleviation so much as insinuated as to any of the Criminals, is their being Artfully misled, a Pardon of all should be Granted, without Excepting even those who misled the Rest, or leaving any One to the Justice of the Law besides those who have been Actually Indicted of Treason, & their Tryal Suspended.]

As to the Act for Avoiding Actions of Slander, and for Stay of Proceedings in Other Civil Actions. We do not know Enough of the Ground of those Actions of Skander, to form any Judgement upon that part of it,

much less to See how that is so Cõnected with the late Insurrections as to make those any Reason for such a Suspension.

With regard to the Other part of the Act relating to the Stay of Other Civil Actions against the late Rioters, We do not See Upon what Reason it can be founded, that His Majesty's Subjects who have been so Grosly Injured in their Property. shou'd be delayed in the Recovery of that Satisfaction which the Law gives them

As to the Act for Suppressing Riots &c^a It appears to Us to have a Tendency not to Suppress but Encourage Riots, as it inflicts a much less Punishment than what the Law at present does; the Penalty of £10, and their own Security in One hundred pound for Good behaviour for three Years, being by no Means adequate to the Crime.

All which is humbly Submitted to Your Lordships Consideration

D RYDER
W: MURRAY
21st July 1749

Letter from Ferdinand John Paris to James Alexander—relative to the granting of pardons to those accused of treason.

From Original Draft among the Papers of Mr. Paris in N. J. Hist. Soc. Library.
Bundle X, No. 78

James Alexander Esq^r

Surry street London 24 July 1749

Sir

[Extracts.]

Altho y^e Board of Trade think it was Treason in the Gov^r Co^{ll} & Assembly of New Jersey to pass y^e pardon in Feb. 1747, & a Stay of y^e Kings Laws & Indict-

ments for & that y^e like had been held, heretofore in y^e Case of y^e Act past in Virginia to pardon Nat Bacon Jun^r, in June 1676. Yet, upon Conference wth y^e Att^y & Soli^r (to whom that Act of New Jersey, & others have lately been referred) they think very differently; & I shall, before I have done, shew the Lords of Trade that it was *not* Treason *in ye Coⁿ* of New Jersey (as for the *Assembly* Let their own Agent take Care of them) For y^e Coⁿ did no more than simply once read and *Accept*, the Act of pardon, Sent down by y^e Gov^r & did not so much as join in enacting (as appears by y^e Coⁿ Minutes, w^{ch} you Sent me) wherefore such parts of y^e Act as *enacted* a Stay of p^rceeding on Indictm^t for Treason were not so much as *passd into a Law*, nor even *enacted*, by the Active Voice of the Coⁿ. It was *otherwise*, in the *Assembly*, However, if the Lords of Trade sho^d *still* think it Treason, in the Gov^r, Coⁿ & Assembly to pass y^e Act of pardon, they do not mean to make use of it ag^t y^e Coⁿ & I shall Submit to them, whe^r the pardon, as to y^e Assembly, may not be dealt out sparingly, As the Memb^r come into a more dutiful & proper behaviour; So that this Accident may be made good use of to bring refractory p^rsons to a Sense, & a performance also, of their Duty. I have been at great pain to gett Att Some printed Acco^t of Bacon's Rebellion on 5 June 1676, & after. It is shortly men^d in the Virginia State book, I have Sent around to the Virginia Merch^{ts}, & to the famous Booksellers, but can neither hear of, or get Any such book * * * * * The Att^y & Soli^r Gen^l tell me they have advised the Crown to put a *negative*, on y^e Act of pardons & on 3 others relating to that m^re past in Jan^y or Feb^y 1747. I am in daily expectⁿ of ano^r Grand Meeting of the Ministry on the Ryots, & in the Measures to be p^rsued relating to the Same, And in the mean time I remain Sir

Your most obed^t h^{ble} Serv^t

FERD. JOHN PARIS

Letter from Ferdinand John Paris to James Alexander conveying suggestions for remedying the difficulties in the Province.

From original draft among the Papers of Mr. Paris in the N. J. His. Soc. Library.
Bundle X, No. 791

James Alexander Esq'

Surry Street London 26 July 1749

Sir

In addition to mine Of the 24th Instant by this Vessel, I am to Acquaint you that I learn that my Lord Chan' (who had been the Gov^r Patron) has agreed that Ought to be removed; Also that The Board of Trade have this day agreed upon a Rep^t of Facts to be made by them together with their first Maxim & principle that peace & good Order cannot be restored to New Jersey, nor y^e K^s authority supported there till who-ever has the Gov^rnm^t there, is made, in some measure, independent of the people, that is to Say, has Some app^tin^t from home! And p^posing Sev^r alternative Schemes, One of w^{ch} to be chosen by the Ministry, for setting m^res to right: as first, A New Gov^r to be Sent from home, with a Salary & a considerable Force also, to be Sent from home, 2^d^{ly} A new Gov^r & a Salary from home, & to take Such force as may be got, at New York, or elsewhere, in y^e neighborhood, & 3^d^{ly} the Reconveying y^e Gov^rnm^t of Jersey to that of York; w^{ch} last they imagine may be y^e Scheme that may be p^psued. Here they meet with difficulty, as M^r Clinton (& M^r Shirley also) are coming home, & no new Gov^r yet fixt for New York, & they dread the Consequences of a delay w^{ch} I also acquaint them, from your L^re, may prove dangerous. They

are thinking also what p'ticular powers are to be given to whoever shall be the Bearer of y^e Kings Order, what pardons to be issued by Such p'sons, how many to be excepted in *number* (as they dont know the *Name* of Any principals to be excepted, Save Amos Roberts) what methods to be taken to bring in Offenders, & to punish them, &c; For all which they find precedents, in the Orig^e pages, rem^d in their Office relating to Bacon's Rebellion in Virginia, in 1676, This Affair grows very heavy & expensive, & engrosses my whole time & attention, I must therefore pray you to make Suitable Remittances, & remain Sir

Your most obed^t humble Serv^t

FERD. JOHN PARIS.

Letter from the Lords of Trade to the Lord Chancellor—enclosing proposals with regard to the disturbances in New Jersey.

[From P. R. O. B. T. New Jersey Vol. XV, p. 194-195.]

To the Lord High Chancellor of G. B.

My Lord,

In pursuance of what was recommended to Us by your Lordship & the rest of His Majestys Ministers on a late Meeting at this Board, We have attentively consider'd the State of His Majesty's Province of New Jersey with respect to the Riots and Disorders which have arisen therein, and having obtain'd all possible Information relative to that Matter, We submit the inclosed Proposals to your Lordship's Judgment, desiring that your Lordship would be pleased to acquaint Us with your Opinion as well as that of His Majesty's other Ministers, who were present when this Affair was under Consideration,

The Reason of Our troubling your Lordship and the other Lords with Copies of these Proposals, is, the Difficulty of fixing a second Meeting before the Adjournment of the several Offices. We are,

My Lord, Your Lordships
most Obedient and most humble Servants

Whitehal {
July 28. 1749. }

DUNK HALIFAX
J. PITT
J. GRENVILLE
DUPPLIN
C. TOWNSEND.

PROPOSALS with regard to the Disturbances in His Majesty's Province of New Jersey.

All Accounts from New Jersey concur in representing that Province to be in a State of entire Disobedience to all Authority of Government and Law, attended with Circumstances which manifest a disposition to Revolt from their Dependence upon the Crown of Great Britain.

The Rise, or at least the Progress and Continuance of these Disorders, is principally to be ascribed to the Weakness of the Government in this Province, arising from the unfortunate Circumstances under which every Governor there must labour in the discharge of his Duty, being confined to the Alternative of either complying with every popular Measure for impairing the Authority of the Crown, or of being deprived of such a reasonable Provision, as is not only necessary to the Support of the Dignity of His Office, but even to His own Subsistence.

It seems therefore necessary to establish as a fundamental Principle that as long as the Governor is so absolutely dependant upon the Assembly, as he is at present, Order and good Governm^t cannot be re-established in this Province.

This being premised, several Methods have occur'd for the immediate extinguishing these Disturbances.

1st The most effectual Method seems to be the sending from hence a sufficient Military Force under the Direction of a Commander to be appointed for that Service. But if the Situation of the Province be not thought to require so strong a Remedy as this is, if it be objected that the Expence of it would at this time be too Burthensome, or if it be apprehended that might give such an Alarm as might be attended with very disagreeable Consequences,

2. The four Companies at New York may be sent under the Command of a Person authorized by a special Commission for that purpose, or under the Command of a proper Governor of New Jersey, who shall be enabled to exert the Authority of the Crown, and act freely and independently, by having a competent Salary settled upon him at home.

But if difficulties should attend the settling such a Salary upon the Gov^r of New Jersey, or if it be thought that the weight of his Power and Authority, even tho' he should have such a Salary as may be judged an adequate Support for him, will not be so efficacious or so permanent as that of the Governor of New York, where four Companies are constantly establish'd: In such Case,

3. The Government of New Jersey may be reunited to the Government of New York, the respective Legislatures continuing distinct as they were before 1738, and Orders sent to the said Governor to go to New Jersey with the four Companies, or such a part of them as he shall judge to be sufficient for the reducing these rebellious Rioters to Obedience.

This last is the Remedy pointed out by a Committee of His Majesty's Council of New Jersey, in a Letter dated the 5th of June 1749, in the following words.
" While we were writing the above, there came this

" day to hand yours of March 24th concerning
" the Jersey Riots; As We have wrote to you fully, by
" this Vessel, on that Head we think of little to add;"

" We believe the re-uniting New Jersey and New
" York under the same Governor, as they were from
" 1703 to 1738, will be the most easy and effectual
" way to preserve the Peace of New Jersey, as the
" Governor of New York has four Companies of
" Soldiers at his Command; And, had he been also
" Governor of New Jersey, he could have nipt the
" rioting in the Budd, by protecting the Goal & bring-
" ing some of the Rioters to Justice.

It has been further represented by the Agent that the Gentlemen of the Council are the chief Proprietors, & consequently the greatest Sufferers by the Confusion and Disorder in which this Province is now involved, that they likewise have Property in, and are well acquainted with the Province of New York, and that therefore it is reasonable to conclude that they would not propose a Remedy in itself ineffectual, or which might be prejudicial to the Peace and Welfare of the Province of New York.

As no Resources can be expected from the Province, considering the Temper of the Assembly, and the Dispositions of the People, the three Methods above mention'd are all that have occur'd for the immediate Suppression of these Disorders. And it must be added that whatever Plan shall be approved, the Person who shall be intrusted with the Execution thereof, must be arm'd with proper Powers & Instructions for using Force, if necessary; for granting Pardon and Indemnity to such of the Offenders as shall surrender themselves within a limitted time (such Pardon to contain proper Exceptions and Conditions) for bringing to Justice those who shall continue obstinate in Rebellion, & for restoring Vigour to the Laws; and in general he should be invested with all such Powers and

Instructions as may be necessary for resettling the Gov^t and re-establishing good Order and Tranquility in the Province.

For these Purposes many usefull Precedents have been found in Our Books, which appear to have been form'd upon a great Occasion of a like Nature and upon much Deliberation in Council, a short Abstract whereof is hereunto annex'd.

In 1675, a Rebellion broke out in Virginia, headed by Nathaniel Bacon one of the Council there, who under Pretence of carrying on a War against the Indians, got together a considerable arm'd Force march'd them to James City, the Capital of the Province, the Council & Assembly then sitting, and forced the Governor S^r Will.^m Berkeley to give him a Commission to be General of all the Forces in the Colony: which he had no sooner obtain'd than he turn'd his Arms against the Government. Notice of this having been sent to England, a Regiment was sent thither under the Command of one Col^o Jeffrys, who being also appointed Lieutenant Governor of the Province, in the room of S^r William Berkeley, who was recall'd, had particular Powers & Instructions for suppressing the Rebellion and restoring the Peace of the Province: Commissioners were likewise appointed to enquire into the Grievances of the People, and make their Report to His Majesty, and a Pardon pass'd under the Great Seal to the Governor, Council and Assembly, for having given the aforementioned Commission to Bacon, and also for having pass'd an Act of Pardon & Indemnity to the Rebels; There was also a Commission to the Governor empowering him to pardon all Offenders under certain Conditions, except Bacon, for the apprehending of whom a Proclamation was publish'd, with a Reward of £300; Particular Instructions were likewise given to the Deputy Gov^r and to the Commiss^{rs} for the better Suppressing the Rebellion,

and restoring the Peace of the Colony, and Letters wrote to the neighbouring Provinces to apprehend the Rebels, if any of them should take Shelter therein.

[A like Letter with Copies of the foregoing Paper was sent to,

R^t Hon^{ble} M^r Pelham, 1st L^d Com^r Treary

Duke of Newcastle

Duke of Bedford

Earl of Sandwich . . . 1st L^d of Admty.]

} Secries of State

Petition of the West Jersey Society to the Lords of Trade praying relief from the riots and disturbances in New Jersey.

[From P. R. O. B. T. New Jersey, Vol. VI. G 80.]

To the Right Honourable the Lords Commissioners for Trade and Plantations—

The humble Petition of the President, and Committee of the West New Jersey Society, on behalf of themselves, and the rest of the Members of the said Society

Sheweth

That his late Majesty King Charles the second, was graciously pleased, to Grant the Province of New Jersey in America, to his Royal Highness James Duke of York, who conveyed the same to the then Lord Berkeley and others, and they afterwards made divers Grants thereout to sundry Persons; And by virtue of several Conveyances, made under his said late Majesty's Grant, The said West New Jersey Society have ever

since the year Year 1692—been intituled to twenty Proprieties in West Jersey, and two and an half Proprieties in East Jersey, and thereby became possessed of several large Tracts of Land in New Jersey aforesaid, both in the East and West Divisions thereof, and have from time to time, at great Costs and Charges, made very considerable Improvements, and settled great numbers of Inhabitants thereon -

That during the late War, several turbulent wicked and ill designing Persons in the said Province, taking advantage of the troubles this Nation was then involved in both at home and abroad, infused into the minds of a great many of the lower sort of People in the said Province, a riotous and disorderly Spirit, tending to possess themselves by violence, of the Estates of others, without right or Act of Law; And great numbers of them, in a tumultuous, riotous and unlawfull manner, have for these several Years past, possessed themselves of the Estates of divers Persons claiming under the said Royal Grant, and by open force maintained their illegal possessions, and withhold the Estates from the true and Lawfull Owners and Proprietors, cutting down the Trees, and committing all manner of Waste and Spoil thereon, and when any of the said Offenders have been imprisoned by the Civil Magistrate; They have in great Bodies forced open his Majestys Goals, and rescued the Offenders from punishment, bidding defiance to Justice, and go armed in Multitudes to the terror of his Majestys well disposed Subjects in those Parts

Your Petitioners, as well as many others, being considerable Sufferers in their Estates and Properties in the said Province, by these rioters and rebellious proceedings, and which are still carrying on there, without a Stop being put thereto by those who are invested with the Powers of Government there, and whom your Petitioners hoped would have been able to have

quelled the same have thought it their Duty to represent these Matters that have so dangerous a tendency, to your Lordships—

Your *Petitioners* therefore humbly pray, your Lordship would be pleased to take the confused, and disorderly state of the said Province, where all Rule and Government seems to be at a stand, into your consideration, And that such Relief may be granted in the Premises as to Your Lordships in your great wisdom shall seem meet

And your *Petitioners* shall ever pray &c.

By Order of the Committee

JOHN STEPHENSON

Sec^y

Power of Attorney from the Council of East Jersey Proprietors to Robert Hunter Morris—authorizing him to act for them in matters relating to the riots.

[From P. R. O. B. T. New Jersey, Vol. VI, G 37.]

To all to whom these presents Shall come, The General Proprietors, of the Eastern Division of New Jersey, in their Council, at Perth Amboy, mett, Send Greeting. Whereas The Honourable Robert Hunter Morris Esq^r Chief Justice of the Province of New Jersey, Is about to take a Voyage to Great Britain: And whereas the Said General Proprietors are Sensible of his great Knowledge & Experience In all affairs that Concern the Province of New Jersey, and the Eastern Division thereof, in General, and of the affairs of the Proprietors of the Eastern Division of New Jersey, in particular, and that, now, at this time, While Some points, of the greatest moment, in those affairs, are under The Consideration of his Majesty and Ministers, his Assistance, in those Points, may be of Great Service and benefit to New Jersey, in General, and to

the Said Proprietors, in particular; Wherefore, the Said General Proprietors, Reposing entire Confidence, in the Said Robert Hunter Morris, Have Constituted and appointed, and, by these presents, do Constitute and appoint Him, their Agent and Attorney, In all their affairs, now under the Consideration of his Majesty and Ministers, or that, hereafter, Shall be under their Consideration, during The Residence of the Said Robert Hunter Morris in Great Brittain; with full power, to him, to act and transact in those affairs, as fully as the Said General Proprietors Could do, were they present; with power Also, to him, to Employ Such, and So many, Counsel, Agents and Solicitors, in the Affairs aforesaid, from time to time, as he Shall Judge fit and Reasonable; Hereby Requesting the former Agents, Factors, and Attorneys of the Said Proprietors, to Conform themselves, in all things, to his directions, in, or any way Concerning, The Said Affairs. In witness whereof, Andrew Johnston, Esq^r, President of the Council of the Said Proprietors, Hath, by their Order, Hereunto Sett his hand and Seal, at Perth Amboy, the nineteenth day of August, in the twenty third year of the Reign of, our Sovereign Lord, George, the Second, by the Grace of God, of Great Brittain, France and Ireland, King, Defender of the ffaith &c, Annoque Domini One thousand and Seven hundred and forty Nine.

AND^m JOHNSTON

Sealed and delivered, by order, & in the presence, of us, Proprietors, and Members of the Council of Proprietors.

JA ^s ALEXANDER	SAM ^l LEONARD
SAMUEL NEVILL	JOHN BURNET
LEWIS JOHNSTON	ELISHA PARKER
WILLIAM BURNET	LEWIS M: ASHFIELD

*Instructions from a Committee of the West Jersey
Society to Henry Lane, Lewis Johnston and John
Foye, appointed Agents of the Society.*

(From an Original among the Manuscripts of W. A. Whitehead, Vol. I. No. 132.)

Mess^{rs} Henry Lane Lewis Johnston & John
Foye

London 16th August 1749

Gentlemen

We the Committee of the West New Jersey Society^{*} reposing Trust and Confidence in you have appointed you the aforesaid Henry Lane Lewis Johnston and John Foye, Agents Attorneys and Factors to the said Society to manage their Affairs and Interests in the Jerseys and other parts of America to the best advan-

^{*} The West New Jersey Society was organized in 1699, in which year Daniel Cox and his wife, Rebecca, granted to Jonathan Greenwood and Peter Guyon, for the use and benefit of Sir Thomas Lane and forty-seven associates of London all his right and title to lands in West Jersey, and by a separate conveyance on the same date made over to Lane and his associates — all and every such of the same powers jurisdictions authorities & Government as & that were granted or intended to be granted by the said Duke of York to the said Edward Bylling as aforesaid, And by the Heires of the said Edward Bylling were granted to the said Daniel Cox his heires & assigns. " Therefore all transactions affecting the lands or the government were executed thereafter in the name of the Society by its Agent or Agents, its title to any portion of New Jersey expiring with a final conveyance in June, 1814. The organization however has been continued to the present time, annual meetings being held regularly and officers elected in London, the meetings being made occasions for feasting and hilarity. The perpetuation of the Society has been rendered necessary to dispose of funds amounting to several thousands of dollars, awaiting the decision of the Court of Chancery. " Many claimants have presented themselves, but the lapse of time since the organization of the Society, and the rigid inquiries made into titles and family connections under the rules of the Court, disappoint a large majority of those who covet the treasure. " The Hon. John Clement of the New Jersey Court of Errors, has written a very accessible pamphlet entitled " Notes and Memoranda relating to the West New Jersey Society " containing a full account of the association from its origin to the present time. For previous documents referring to the Society see Vol. II, pp. 41, 64-73, etc. Ko.

tage for the honour and profit of the said Society excepting only settling Accounts with M^r Haynes which we will do our selves and not perplex you therewith and here inclosed We send you a Commission for that purpose under our hands and Seals and under the common Seal of the said Society not in the least doubting your care and diligence in retrieving our Affairs there. We send you here inclosed a Revocation and discharge of all Powers and Authorities heretofore given our late Agents with a Copy thereof which Copy we desire you will deliver to M^r Joseph Haynes the aforesaid Copy of his Revocation with the inclosed order for him to deliver to you for the use of the Society with a Schedule thereof all Writings Grants Deeds Bonds Maps Surveys Patents Conveyances Leases Papers &c that are in his custody or power and which belong to the Society or are any ways relating to their Affairs And we desire you will get the Revocation executed by us Registered in the proper Offices in the Jerseys. As there may be occasion for some Money before you can procure any by Sale of any of our Lands We have desired M^r Joseph Haynes to pay into the hands of M^r Henry Lane for the use and on the account of the Society Two hundred Pounds New York Money which we hope he will comply withal he having more of the Societys Money in his hands and we hope he will give you all the light and insight into the Societys Affairs as he can. And for your care and trouble and to excite your diligence in our Affairs we have resolved to allow you Ten p^r Cent. Commission for all Moneys you shall receive for all Lands or rights of Land you shall sell pursuant to our directions and for all Moneys you shall receive on account of Debts p^r Bond &c. or otherwise. And We have also resolved to allow you Five p^r Cent Commission for all such Moneys as We shall receive here in

London that you shall remitt or send to us for the Societys use either in Bills Gold Picces of Eight or other Effects which is all the Commission that is to be allowed it being double of what we allow'd the former Agents; And therefore you must observe that this Commission with all the Charges and Expences you are at from time to time is to be deducted out of the Moneys you shall receive at New York or in the Jerseys on the Societys account and for their use and not otherwise for we will not subject our private Estates or imbroil our Affairs with the Society's for which reason we give direction for payment of the Two hundred Pounds before mentioned to M' Lane and allow the Agents to keep so much Money in their hands as shall be necessary for defraying Charges and Expences; There is in M' Haynes's hands a Warrant obtain'd by M' Lewis Morris dated 29th March 1717 for taking up One hundred thousand Acres in West Jersey that is not located, Survey'd or appropriated to any person or persons whatsoever according to the Laws Rules and Customs that are in usage for that purpose in the Western Division among the General Proprietors thereof from which Warrant M' Lattouch and M' Haynes sold Ten thousand Acres to M' John Spratt of New York and granted the same to him by Deed dated 1st May 1744 They also made a further Sale of Four thousand five hundred Acres from the said Warrant to M' Spratt & granted the same to him by Deed dated 1st June 1744 We do not know that any more of those untaken up Lands were sold by any of the Societys Agents so that there now remains due to the Society on said Warrant Eighty five thousand five hundred Acres of untaken up Lands, and we being inform'd that Lands in the Jerseys of late Years are considerably risen on account of the increase of the Inhabitants and that untaken up Lands are very Saleable because

the Purchaser can have them much cheaper than Lands Survey'd &c and are sure of a good Title and can lay them out and have them Survey'd or Appropriated to the Society or any other persons whatsoever, wherefore We desire you will sell and dispose of so much of the said Warrant of untaken up Lands in any parcel or quantity that you can find Purchasers for not under Ten Pounds p' hundred Acres New York Money to be paid at the time of executing the Conveyances the purchaser to be at the Charges of the Conveyance &c and that you will cause said Sale to be published in both the Jerseys and in the New York Pensilvania and New England News Papers and in single Papers to be stuck up and disperst in those Provinces according to the form here inclosed markt A with such alterations and additions as you see necessary as to the Great Indian Tract of Land called the Hundred thousand Acres Tract taken up and Survey'd by Col: Morris by consent of the Council of Proprietors and the Indian purchase paid and all things adjusted in as plain full and ample manner as possible could be and which Col: Morris wrote us would be of immense value We know not of any part thereof that has been sold or dispos'd of excepting Ten thousand Acres convey'd by M^r Lattouch and Haynes the 1st June 1744 to M^r James Alexander and subsequent Agreements dated 1st Nov^r 1744 and also except Three thousand one hundred Acres granted by Lease to M^r William Allen at Sixty Pounds Sterling p' annum, but we were informed that by the neglect or connivance of Col: Morris several Familys were settled thereon and that other parts thereof have since been pretended to be Survey'd by Col: Cox and Kerpright and others to the Amount of about Ten thousand Acres and either occupied Sold or Leased out by them wherupon M^r Lewis Morris Jun^r went over to the Great Tract about

the year 1735 in order to retake possession thereof and therefore did grant to several of these persons that had seated themselves on the Societys Land short Leases at an easy Rent. We do not know what has been done further therein nor what M^r Alexander has taken possession of or what steps he had taken since his purchase to irritate the Country We hope you that live in the Jerseys will inform your selves fully thereof and of every particular concerning the same and also your advice what is proper to be done therein and that you will dispose of such part thereof as is unoccupied and free from any contest at Sixty Pounds or more p^r hundred Acres New York Money but not under that price and not less than One thousand Acres at a time and to be located &c all together in one place and not in different parts. And to make those easy that are Settled on our Lands and to whom M^r Lewis Morris gave Leases We agree you may grant to them the Freehold thereof on their paying you Forty Pounds or more p^r hundred Acres, And for those that are settled on our Lands but refused to take a Lease from M^r Morris Jun^r you may grant to them the Freehold thereof on their paying you Fifty Pounds p^r hundred Acres New York Money clear of all Charges. And for those that were settled on said Tract or claim under Cox or Kerpright or others on pretence of a Survey &c you may grant to them the Freehold thereof on their paying you Forty pounds p^r hundred Acres clear of all charges We are in hopes that those people who have settled built upon and improv'd their Estates will think it a very easy rate to secure a legal Title of these Lands to themselves and their posterity with the Improvements thereof those that will not accept of these reasonable terms we must consider of a proper method to prosecute some of each in order to maintain the Society's right and secure their property and therefore

we desire that you will cause to be published in both the Jerseys and in the New York Pensilvania and New England News Papers and in single Papers to be stuck up and disperst in these Provinces according to the form of an Advertisement here inclosed markt B with such alterations and additions as you see proper We must inform you that Cap^t Nath^l Ware who lives in the Jerseys but now being in England applied to the Committee in relation to Two thousand three hundred Acres of Land in our great Tract that he purchased about four Years ago of M^r Cox he sais it lies along the South branch of Rariton River in the Township of Lebanon and County of Hunterdon part of Five thousand Acres taken up by Col: Cox in the Year 1712 who he sais went regularly through the Laws and Customs of the Country (which he did not make clear to us) and therefore as he alledges had a power of disposing thereof which we deny but on hearing that the Society laid a claim to the said Five thousand Acres he has offered us One hundred Pounds Sterling to release the Societys Right to said Two thousand three hundred Acres which we having consider'd of refused but left it him for Two hundred Pounds Sterling to be paid us here on which the Treaty broke off, if he makes application to you he must pay Forty Pounds p^r hundred Acres New York Money to you We find by our Papers that at the Council of proprietors the 9th Septem^r 1708 Mr Lewis Morris was admitted to take up One hundred thousand Acres for the Society, 30th Septem^r 1709 and 16th Aug^t 1711 Two Indian Purchases were made and that on 29th March 1717 M^r Morris produced to the Council a Return recorded of Ninety one thousand and eight hundred & ninety five Acres Survey'd in the Month of June 1711 which was allow'd and a new Warrant granted for eight thousand one hundred and five Acres to M. Alexander to be laid out

to make up said hundred thousand Acres as soon as the boundarys settled by M^r Willocks were return'd

The Act of Assembly, for recording Surveys in two Years was not made till the Year 1718 so that Act could not affect the Societys right to the said Ninety one thousand eight hundred and ninety five Acres taken up by Col: Morris

We desire you will endeavour to dispose of what quantity you can of our Lands at Cape May at Twenty Pounds or more p^r hundred Acres New York Money but not under that price and not less than One thousand Acres to be located &c all together and not in different parts and to be free of all charges of Conveyances &c. We have receiv'd a Letter from M^r Allen of Philadelphia complaining of the disturbances of the Rioters and depredations made on the Three thousand one hundred Acres of Land leased to him in the great Tract by M^r Lattouch and Haynes we desire that on his Agent's application to you that you will give him all the Assistance you can—

At the last Election the following persons were chosen to be the Committee for the ensuing Year Viz:

M ^r John Childe President	M ^r Joseph Mico
M ^r Thomas Knapp Vice President	Henry Mulman Esq ^r
Thomas Lane Esq ^r	M ^r Peter Hamond
Stamp Brooksbank Esq ^r	M ^r William Ladds
Thomas Skinner Esq ^r	M ^r Henry Woodcock
William Hamond Esq ^r	M ^r Henry Greenaway
Cap ^t Francis Minshull	

Inclosed we send you a printed paper of the Societys Constitution of the 4th April 1692. We desire that in case any more Dividends are directed to be made by the Council of Proprietors either in the Eastern or Western Province that you will take care the Society have their share

As the Lease to M^r Allen was made to M^r Haynes

We have desired him to Assign the same to M^r Henry
Lane in Trust for the benefit of the Society.

We are Your Affectionate Friends

The Committee of the West New Jersey Society

John Culde President

Thomas Knapp
Vice President

Joseph Mico

Henry Granaway

Francis M. inschull

Henry Woodcock

Sam Hamond

Sam Ladd

*Letter from Ferdinand John Paris to John Pownall—
enclosing copy of letter from James Alexander
and Robert Hunter Morris relative to the break-
ing open of the Jail in Newark.*

[From P. R. O. B. T. New Jersey, Vol. VI. 646.]

John Pownall Esq^r

Surry Street 11. Sept 1749

Sir

I have been very ill for these three Weeks past, and unable to go abroad, otherwise, should not have, so long, been absent from Your Office, being extremely anxious to know what Methods are to be taken, in y^e New Jersey Affair: I enclose You the Copy of a Letter, of the freshest Date, which I rece'd but an hour ago, wherein I am inform'd that the Rioters, failing in their Attempt to have two of their number try'd, by themselves (which had been a safe Game) went, immediately, according to Custom, & broke open the Goal, & set them free, so lately as the 15th of July. Misrule has, so long, taken Place there, & to such an enormous Degree, that God only knows when, or how, the People are to be brought into Order, But I am,

Sir, Your most obedient humble Serv^t

FERD JOHN PARIS

To M^r Paris

New York July 22^d 1749

Sir

Herewith is a Copy of Ours of May 30th We hear that the Friends of the Rioters used some Endeavours, to get a Special Commⁿ of Oyer & Terminer and General Goal Delivery, for Essex County, in Order to try

the two Rioters, taken and in Goal, mentioned in the enclosed Letter; but, it seems, they failed in their Application: for the Reasons, in the Resolves of the Council of December 12th are too full against such a Step, for any of the Council to advise the granting of such Commission. ●

As they have failed, in their Hopes of that Commission, and consequently, of the Chance of being tried by their Fellow Rioters and Relations, We hear that, on the 15th Instant, in the Dead Time of the Night, a Number of People, in Disguise, came to, and broke open, the Goal of Essex, at Newark, and rescued the two Prisoners there. By their coming in Disguise, it seems they they have got a little more Fear and Modesty, than they use'd to have. We think of nothing more on this Head, necessary.

We are, Sir,

Your most humble Servants

J^A: ALEXANDER

ROB^T H: MORRIS

Letter from Matthew Lamb to the Lords of Trade—in answer to their letter relating to acts obliging Sheriffs in New Jersey to give security.

From P. R. O. B. T. New Jersey, Vol. VI, G 36

To The Right Honourable The Lords Commissioners for Trade & Plantations

My Lords,

In Pursuance of your Lordsh^{ps} Commands Signified to me by M^r Hills Letter of the 18th July past I have Reconsidered An Act passed in New Jersey in January 1747 Entituled

'An Act to Oblige the Several Sheriffs in this Colony of New Jersey to give Security and take the Oaths or

' Affirmation therein Directed for the due Discharge of
' their Offices And to prevent their too long Continu-
' ance therein

I find in my Report made to your Lordsh^{ps} the 23^d of January last that I made No Objection to this Act in Point of Law, As it appeared to me that Acts of the like Nature in Regard to Sheriffs have passed in Some of the Neighbouring Provinces, Which have been Confirmed here, And it is upon the Plan of those Acts, that this Act Seems to have been framed

As for the Reasons of this Act being passed within this Province, The Governour Who gave his Assent thereto I Suppose has Informed your Lordsh^{ps} pursuant to his Instructions, And it Seems very proper he should have done so as by this Act the Limitting the time of the Continuance of a Sheriff in his Office, is in some respect Restreining the Power he Derives from the Crowne of Appointing Sheriffs, Which before this Act passed was without Limittation:—And so was the Power of the Crown in England formerly, but by Severall Acts that have been passed here, the Legislature have Limitted the time of a Sheriffs Serving in his Office. Therefore it appears to me, that as Some of the Neighbouring Provinces have found Reason to Passe Acts of this Nature which are Now Subsisting, And as the Legislature here have also found reason heretofore to Passe Acts Limitting the time of a Sheriffs Continuance in his Office, That there may have been Reasons to Induce the Legislature of this Province to do the Same, All which must be Submitted to your Lordsh^{ps} and from the Information you have Received how farr you think proper to Recommend the Confirming this Act

& I am My Lords

Your Lordsh^{ps} Most Obedient humble Servant

MAT LAMB.

Lincolnes Inne 30th September 1749.

*Letter from James Alexander and Robert H. Morris
to Ferdinand John Paris—about reuniting New
Jersey to New York.*

[From Original among the Papers of Mr. Paris in the Library of the New Jersey
Hist. Soc., Bundle X, No. 91.]

[To Ferdinand John Paris Esq^r.]

New York Sep^r 23^d 1749

Sir

[Extracts.]

Chief Justice Morris intends to take a voyage to England, in his Majesties Ship *Hester*,¹ which is to Sail about a month hence, and we Should have delayed making any Answer, till he went, But that, there are two vessels Bound for England, to-morrow or next day. By whom, we thought it *absolutely necessary* to acquaint you, that we were Greatly Surprised; at a paragraph of yours of July 19 Concerning the Riots, *Viz^t that the Reuniting Jersey, to New York Govern-ment, would be Effectual to put an End to the disturb-ances, and Restore force to the Laws, and peace to the Province of Jersey; and that this you offered to the Grand meeting of the Ministry, as with Authority from hence.*

We think you have greatly mistaken our Letters in that particular, which we Beg you would Revise * * * We do assure you we were, and are, far from think-
ing The Juncture of the Governments will be Sufficient to Restore Peace to New Jersey, Tho' it might do, to preserve it, when Restored by other means. We never took the Sentiments of the Rest of the Council upon this head, and what we wrote was only our own thoughts, We are Sorry that you possess'd, the Min-

¹ He sailed in the "*Carolina*" from Newcastle, Delaware, on Oct. 30th, 1749.—Ed

istry with that opinion, and Beg you will fall upon Some measure to Sett them Right, as to that matter, in Such a manner as may be most agreeable to your- self: for, Should they Continue of that mind, and Carry it into Execution, we are fearfull it will never answer the ends proposed.

For as New York has but four hundred Standing forces, and Those divided into a great many different Garrisons, Chiefly in Albany, and the County of Albany; upon The Frontiers, and at Oswego, (The nearest of which are 150 miles from New York, and Oswego about 450) there cannot without great difficulty, be a Single hundred of These got together, and Spared, to be Sent to New Jersey: which Number, could it be got and Spared, we are far from thinking would be *now* Sufficient to Guard the Goals, and the Judges, while trying the Criminals; wherefore, not a Sufficient means for Restoring; Whereas, were peace Restored, in New Jersey, that Number, or less, we think might be Sufficient, to preserve its peace; As is Said in the Letter before of Jan'y. 25th * * * *

Sir Your most humble Servts

JA: ALEXANDER.

ROB^t H MORRIS

Message of Governor Belcher to the Legislature, September 28th, 1749.

(From the Printed Minutes of the General Assembly among the Papers of James Alexander, Vol. II, No. 61 in Rutherford Collection)

Thursday September 28, 1749

The House met

* * * * *

Ordered that his Excellency's Speech be read, and it was read accordingly, and ordered a second reading and is as follows.

Gentlemen of the Council, and of the General Assembly

SINCE our last Meeting, I received the KING'S Royal Proclamation of a General Peace, concluded by the blessing of GOD on his Majesty's Arms and Councils; upon which I heartily Congratulate you, hoping it will give His Majesty still greater weight among all the Princes of *Europe*; and that We at this distance from the throne, shall reap happy Fruits and Advantages from it, under His Majesty's most auspicious and benign Government.

Gentlemen of the General Assembly

By your having Recourse to Journals of the late Assembly, and to those of your own, you will readily find, how often I have urged what was and still is of the greatest Importance to the Peace of this Province, which is the doing your duty to the KING and to his People, in Joyning with the other Branches of the Legislature, in such Measures as might be effectual for suppressing the great Numbers of seditious riotous Persons, who are endeavouring to overturn the KING'S Government; a fresh instance of which they have lately given in breaking open the KING'S Jail in the County of *Essex*, and delivering from thence two Persons (who stood there committed for High Treason) as you will see by the Papers I shall send you; and you know, I ordered the last Meeting of the Legislature purely to have your Aid and Assistance in this very difficult Affair; but instead thereof, you were deaf to all I could say, and which I am assur'd has proved an Encouragement to this set of lawless People to persist in their Obstinacy and Wickedness.

But as I have, in Duty to the KING, and in Tender-ness to this People, faithfully Represented to his Majesty the present deplorable State of this Province in this Regard, and am daily expecting the KING'S especial Orders about it, I shall say nothing more, than

that I heartily wish you may yet be Wise before it be too late, and thereby prevent your being answerable for the Consequences of your present Misconduct.

I am really sorry, *Gentlemen*, to be obliged to press you to the necessary supply of the publick Treasury, which has been in a manner Empty for a long Time, to the Injury of all the Officers of the Government, who have loudly complained of so great an Injustice. As I have said formerly, Money may be properly called the Strength of Government; for how can the Laws be executed, or the Kings Subjects be protected in their Properties, while the Officers of Justice are wanting the Provision made by Law for the support of themselves and of their Families.

Gentlemen of the Council, and of the General Assembly

As the Winter is approaching, and your Domestick Affairs may soon require your Care and Attendance, I wish you may have a good Agreement in what you may Judge necessary to be done at this Time, which will naturally shorten the Sessions; and you may always depend on my cheerful Concurrence, in every Thing that may promote his Majesty's Honour and Interest, and the happiness of this People.

J. BELCHER.

Perth Amboy September 28, 1749.

*Proceedings of the Council of New Jersey—relative to
Arrears due the family of the late Governor
Morris.*

[From P. R. O. B. T. New Jersey, Vol. VI, G. 50.]

At a Council held at Perth Amboy October y^r
5th 1749.

PRESENT

His Excellency the Governor

James Alexander	Andrew Johnston	} Esq ^r
Rob ^t H. Morris	Peter Kemble	
James Hude	Richard Salter	

This Board having considered the Draft of the Message which His Excellency intended to send to the House of Assembly Communicated by His Excellency to this House yesterday, the same was approved of in the following Words.

Gentlemen of the General Assembly:

In April last I had the Honour of a Letter from the Right Honourable the Lords Commissioners for trade and Plantations in which is a paragraph respecting an Arrearage of the Salary due from this Province to the Late Governor Morris at the time of his Death; and on which Account his Executors have petitioned their Lordships and Copies of Said Paragraph and Petition I send you with this by M^r Secretary -As this is a Debt justly due to the Heirs of the late Governor it is certainly a Great hardship they should be so unreasonably kept out of it. I therefore hope after a proper Consideration of what I have laid before you, you will make effectual Provision for the Speedy Payment of it the doing whereof you may depend will Greatly

recommend you to His Majesty's Grace and Favour which must be of the Greatest Service and advantage to this Province on all Occasions. And I recommend this affair to your most Serious Consideration as it is a Matter in which his Majesty's Government is essentially Concerned.

Perth Amboy Oct: 5th 1749.

J. BELCHER.

After which His Excellency desired the Opinion of the Board whether they thought anything more was in his power to do at this time in Order to obtain the End proposed by the above Message.

The Board were Unanimously of Opinion that the Sending the above Message to the House of Assembly is all that is at present Necessary for His Excellency to do--

In answer to which the Assembly Sent the following Message.

Ordered,

That M^r Leaming, and M^r Fisher do wait on His Excellency and Acquaint him, in Answer to his Message of the fifth Instant, that the house were in hopes all difference between the late Governour Morris, and the Assemblies of New Jersey, might have been buried in perpetual Oblivion with the Death of that Gentleman, because his Memory must be precious to his Family, to whom they are unwilling to give Any uneasiness; and nothing short of the Publick Welfare could have Induced them to rake into the Ashes of the dead; but as they are obliged in duty to their Constituents and in discharge of the Trust reposed in them to dissent from what his Excellency has recommended in his Said Message, do therefore think it incumbent on them to remark on some part of the Said Late Governor's Conduct, from whence they Conceive such dissent both Just and Reasonable.

The house avoiding to mention many things, that

might be urged against the said late Governors Conduct, have Contented themselves with only remarking to Your Excellency, that soon after the said late Governors Accession to the Government, he issued Writts for the Choice of a New Assembly, who in their first Session not only gave him a Salary of £1,000 per annum for three Years, and £60 Yearly for Hiring a house during the Said Term, but also a Present of £500, and altho' this Provision was much more than any of the Neighbouring Governments paid, in Proportion to their Abilities for Support of their Governors, and double the Sum that had been usually given to his Predecessors in this Colony. Yet at the Conclusion of that Session he made them a Speech and very unthankfully told them, he only took that as an earnest of what he expected and Dissolved them. And to Compleat his unreasonable resentment against them, did, in direct Contradiction of a Law which himself had Signed that very day, forbid the Treasurers to pay them their Wages, altho' Justly Due, and for which they had obtained Certificates according to the Said Law.

That notwithstanding the Treatment the first Assembly met with, was hard and Severe, yet the Succeeding Assemblies did not retaliate it in it's kind, but on the Contrary, in Order to demonstrate their duty and firm Attachment to the best of Kings, and to Cultivate (if possible) a good agreement, with him the said Governor, continued the said Salary and house-rent from time to time until September 1744.

That notwithstanding the Assembly's Endeavours for the good agreement above mentioned, in the year 1740 During a long Session of above three Months in the busiest Season of the Year, the two houses having passed a Number of Necessary Bills, Some whereof were very long; and in order to further Cultivate the said good agreement, the General Assembly sent Copies

thereof to him for his perusal; but altho' he was not so kind as to point out any of their Defects to the house yet he obliged The Assembly to Continue together until they were all Re-Engrossed with broad Margins, &c, in Order (as he said) for affixing the Great Seal thereunto, yet after all this unnecessary Trouble & Expence and application of that Assembly to him, to put an end to that Session, he Ordered them to Adjourn themselves for a fortnight to no Purpose, and at their return, refused his Assent to many of the said Bills, So Re-Engrossed, which serves to Demonstrate the Disposition he had to Perplex the Affairs of the Colony —

That in the Year 1742 after the Council and Assembly had Spent Six Weeks in preparing and passing eight good and Necessary Bills, he Signed the Bill for Support of Government, and laid all the rest aside; and with a long Speech filled with Invectives and Charges against the Assembly Dissolved them, and all this without any reason for Such Treatment—

That in 1743 Committees of both houses were appointed who met in a Free Conference of which the Chief Justice and Second Judge of the Supreme Court were apart, and Settled and agreed upon a Bill for Establishing a Table of Fees, which afterwards passed both Houses, and to which His Excellency with all Seeming Freedom gave his Assent, yet to the great Surprize of the good People of this Colony, he soon after wrote home to the Lords Commissioners for Trade and Plantations, acquainting them, that the Fees as Established by that Bill, were so inconsiderable that no Persons of Character or Reputation would Care to Accept of Employments in the Colony; The Consequence whereof proved to be a Repeal of the Said Bill, so that through his Means the Colony has remained to this day, without any Law for Taxing of Bills of Cost to the Grievous oppression of great numbers of Poor People in this Colony.

That in the Year 1744, the Justices of the County of Hunterdon did proceed contrary to a known Law of this Province to Chuse a Commissioner of the Loan Office for the Said County, in the room of Joseph Peace Esq^r Deceased, which Illegal Proceedings being Complained of to the General Assembly, they took the Same into their Consideration, and thereupon Addressed the Said late Governor for the removal of those Justices for their Male Administration, or to Order such other Prosecutions against them as he in his wisdom should See Meet, so that it might Effectually Deter others from acting so apparently Contrary to the Express letter of the Law: But altho' the Conduct of the said Justices was not only Repugnant to a Law which had been Confirmed by his Majesty, but it also had a Direct Tendency to lessen the Credit of the Paper Money, then passing Current in this Colony, yet notwithstanding, the said Governor was so far from regarding this or the Assembly's Address, that he became an Advocate for the said justices Illegal proceedings, Seeming to be displeased with the Assembly for complaining of them, and in Gratification of his displeasure Continued the Justices and dissolved the Assembly, and Some time after Called another, being the third he had met within less than ten Months, as appears by their Journals -

Thus did his Excellency exercise the Royal powers with him Intrusted to the great detriment of the Colony, by his frequent Calling, Proroguing and dissolving the Assemblies and often keeping them together Sitting for a long time to no manner of Purpose. Thus was the Powers of Government abused, and that of the people being represented in General Assembly, which was designed by our most Gracious Sovereign to be the Means of Compleating the happiness of his Subjects in this Colony, and really is one of the Greatest temporal Blessings that a Free People can enjoy on

earth, was by the misuse of it become a very great Grievance.

That after his Excellency had detained the Assembly together at Amboy in the Year 1745 near two Months, altho' he himself was very often a great distance from them Sometimes at Trenton and Sometimes at or near Brunswick, by which all Communication between him & them was So much Cut off that, it was rendered almost Impracticable, except at times when he thought proper to Come to Amboy and Prorogue them for a few days, or otherwise Chastise them, and after all the reasonable Proposals that the Assembly could think of, were made, this Session finished without having it's desired Effect.

That frequent and long Sittings, and no business of any Consequence being done, were then become so very Common and the Debts of the Colony thereby so highly Increased, that the Assembly easily foresaw the Necessities the Colony would Soon be reduced to without great Care.

And his Majesty being at that time engaged in War, with France and Spain, and this Colony having Cheerfully given Several thousand pounds in the West India and Cape Breton Expeditions, and reason to believe they should Soon be called upon by his Majesty for further Assistance against his Enemies, & much talk of the French Sending a large Fleet to revenge upon these Colonies, the Indignity their Arms had Suffered in the loss of Cape Breton, and this being a defenceless Government, without any manner of Fortification and liable to be Attacked for near 300 Miles the Assembly would have been greatly wanting in their Duty to his Majesty, and his faithful Subjects in this Colony, if they had not endeavoured to keep the State of the Treasury in as good a Condition as Possible.

And time has Sufficiently Verified that these imagi-

nations were but too well Grounded: For altho' kind Providence did not Permit the Fleet of our Aspiring Enemies to Attack us, yet this Colony were Called upon by his Majesty to Assist in the late intended Expedition against Canada, in which Expedition they have Actually expended above £20,000 Including what was lent the Crown for Arming and Cloathing the Forces Sent from hence.

These reasons and many more being Sufficiently weighed, the Assembly Proposed to the Governor, in the Year 1746, that they would willingly Support the Government, by giving his Excellency £1,000 for two Years immediately out of the Treasury, and also £1,000 out of the first Interest Money which should Arise by the New bills for making £40,000 Provided he would Sign the few Bills which were then Passed by both houses, ready for his Assent, as appears by their Message of May 7, 1746, and he at that time, was So far from having any objections to the Said Bills, that he returned the following Answer—

—“So now it Plainly appears, that when they might have all the Acts they pretended to desire, and were Seemingly so fond of, and the forty thousand pound bill Passed with a Suspending Clause, they refuse to have them upon the Terms they have hitherto asked them. I will (as I have Assured them) Pass the Bills they seem so fond of, on Condition they Join in Supporting the Government in as large and Ample a Manner as usual, and not otherwise. By this their Constituents may See, that they might have had the Forty thousand Pound they desired, if his Majesty would be please to approve of it.”

By which your Excellency may observe the Mistake of that Representation to the board of Trade, of the Salary's being withheld meerly on account of his Adherence to his Duty, & obedience to the Directions of that Board, and Plainly see, That it was not any

Objection he had to the £40,000 bill, that Actually being offered with a Suspending Clause, as all others of the kind offered by the Assembly of New Jersey to him had been, & which he said they might have had on the Terms there proposed.

From whence your Excellency will Observe, that he refused to do the Duties of Government, except the Assembly would give him Such a Salary as he asked, and in his own Mode and way, which without resigning their Liberties they Could not do.

That from the foregoing remarks, with his refusing to do the Duties of Government, the house Conceive their Dissent from what his Excellency has recommended with respect to the said late Governor Morris will appear both Just and reasonable; but to put the matter beyond Dispute, they beg leave further to Remark, that altho' Governor Morris in his life time did, and his Executors now do insist upon the Payment of what some are pleased to Term Arrears; Yet the house have his own opinion in a Similar Case to Justify their not allowing them. For during the time that Lord Cornbury was Governor of this Colony, many Irregularities having Crept into the Administration and the said Governor Morris being at that time one of the most leading Men in the house of Assembly, they thought Proper to withhold the said Lords Salary, for the two last Years of his being Governor; and notwithstanding great Endeavours were used to obtain it, yet the house do not find, that either he or his Executors were ever allowed one Farthing.

That the house hopes his Excellency will be Sufficiently Satisfied that nothing Can be reasonably demanded, on Account of the said late Governor Morris's Pretended Arrears, it being a Subject So universally disliked in this Colony, that there is none, except those who are immediately Concerned in point of Interest, or particularly Influenced by those who are, will Say one word in its Favour—

That it is altogether unlikely any Assembly in this Colony will ever look upon that to be a Just Debt, or apply any Money for the discharge thereof and that they Cannot conceive the further recommendation of it will be of any Advantage to the Said Executors,

THO: BARTOW Clk.

At a Council held at Perth Amboy October 18th 1749.

Present

James Alexander	Peter Kemble	{ Esq ^r
Edward Antill	Thomas Leonard	
Andrew Johnston	Rich ^d Salter	

His Excellency laid before the House a Message he had rec^d from the House of Assembly in Answer to his application to them for the Arrearage of Salary due to the late Governor Morris and desired their advice whether any thing more could be done by him with any probability of Success and the House Considering the same are of Opinion that no further Application will be likely to have the desired Effect at this time.

Letter from David Ogden to James Alexander relating to the titles of the Rioters.

[From Papers of Mr. Alexander Vol II, No. 36, in the Rutherford Collection.]

James Alexander Esq^r at Perth Amboy

Newark Oct^r 14, 1749

S^r

* * * * * reflecting on the present measures taken in the unhappy Affairs of this province, it appears to me that it is the drift of the Rioters & their friends here and also of the Gentleman appearing for them in England, to represent, that the Rioters hold

their Lands under an Indian in opposition to a proprietor Title And that in Defence of their Estates against the oppressive methods of the proprietors to deprive them thereof they Entred on & Committed those Riots— As no proof as I remember has been made to Show that but few of the Rioters hold lands under Indian Title but on the Contrary the Greater Number hold and possess their Lands by patent or Survey from the proprietors, I thought Evidence of that kind might be of Service to prove that the Rioters must have acted with other Views, which I have mentioned to the Ch' Justice who approved thereof And desired me to send proof thereof to you, to the Barer Daniel Person a Justice of the peace of this place I have mentioned this affair (who may be trusted) who will as he Informs me declare as he is Liver in Newark and has been an Eye Witness to the two great Riots we have had here and having knowledge of the Rioters Living in & near this place and of their holding Lands—that dividing them into 5 parts $\frac{1}{2}$ possess their Lands under proprietors Titles $\frac{1}{2}$ have no pretentions of any right to Lands (who are the Chief destroyers of the Timber) the other 5th possess Lands under the Indian Claim and not more than $\frac{1}{4}$ of that $\frac{1}{2}$ first Settled the lands they possess on an Indian Title and the remaining $\frac{1}{4}$ of sⁿ $\frac{1}{2}$ within a few years past purchased the Indian Title to the lands they possess— * * * *

if an Order of Council was made for his Examination it would appear best, least he might be reflected on as appearing a Volunteer in the affair, as he is well acquainted with what passed at the Meeting of the Justices & freeholders and of the refusal of the Rioters to sign the petition to the Gov^t I believe it is best he should be first Examined by the Council And am S^r

Your most hum^{le} Serv^t

DAVID OGDEN

*Address of the House of Assembly of New Jersey to
Governor Belcher in answer to his Message of
September 28th, 1749.*

(From the Printed Minutes among James Alexander's Papers, Vol. II, No. 64, in
Rutherford Collection.)

Saturday October 14, 1749

The House met

The engrossed Address to his Excellency was read
and compared

Ordered that M^r Speaker Sign the same, which
he did accordingly, having first declared his Dissent
thereto

* * * * *

To his Excellency JONATHAN BELCHER, Esq^r,
Captain General and Governor in Chief in
and over his Majesty's Province of New
Jersey, and Territories thereon depending
in America, Chancellor and Vice-Admiral
in the Same.

The Humble ADDRESS of the Representatives
of the Colony of New Jersey in General
Assembly convened

May it please your Excellency,

WE His Majesty's dutiful and loyal Subjects, the
Representatives of the Colony of *New Jersey*, beg
leave to return your Excellency our Thanks for your
Congratulation upon the General Peace, concluded by
the Blessing of God, on His Majesty's Councils and
Arms; and, on Our Part We Congratulate your Excel-
lency upon so happy an Event, hoping it will add

Weight to His Majesty's Influence, among all the Princes of Europe and that We, at this remote Distance from the Throne, shall reap happy Fruits and Advantages from it under His Majesty's most auspicious and benign Government.

By having Recourse to the Journals of the late and present Assembly, We find, that in a Session at *Burlington*, which commenced the 20th August 1747, soon after your Excellency's Arrival, and continued by adjournment until the 1st of *February* ensuing, in Consequence of what You recommended that Session, a Committee was appointed by the then House of Assembly who applied to His Majesty's Council, desiring that they would also appoint a Committee to Joyn the Committee of the Assembly, to consider, in a free Conference, upon Ways and Means for suppressing the Riots and Disorders of the Colony; In Consequence thereof, a Committee of the Council was appointed to Joyn the Committee of the Assembly for that Purpose, that those Committees met, and from Time to Time duly Deliberated upon the Subject Matter of the said Conference, until they agreed upon a Report to be made to their respective Houses touching the Premises, where the same was further considered; and in Consequence thereof, passed several Bills for suppressing of riotous Proceedings, which were Assented to by your Excellency; and You was pleased, at the same Time, to send down to both Houses, an Act, intituled *An Act to pardon the Persons Guilty of the Insurrections, Riots and Disorders raised and committed in this Province*, which was thankfully accepted by them. These were the Steps then taken for bringing those wild Confusions to an End, with which your Excellency concurred, and was pleased in your Speech, at the Close of that Session, to intimate your Satisfaction therewith

That in a Session at *Burlington*, October 21, 1748,

and ended at *Perth Amboy, December 16*, ensuing, your Excellency further recommended the Consideration of the unhappy Situation of the Colony, respecting the Rioters; to which the Assembly in Substance replied, that the Laws then in being, in their Opinion, ought to be put more fully in Execution; and if they then proved insufficient, their particular Defects might be pointed out at the next Meeting of Assembly, that they might be able to do what might be further necessary to be done on that Occasion; at the same Time the Assembly said what might have been sufficient to discountenance the Madness of these audacious Rioters; Since then to this Time, no Defects in the Laws have been pointed out to the Assembly.

That your Excellency in your Speech made to both Houses at Burlington in a Session which commenced *February 20, 1748-9*, recommended to Our Consideration what further Laws might be necessary for curbing the Insolence of these People; that in Pursuance of this, the Assembly took the Matter under Consideration and after spending some Weeks in deliberating on what might proper to be done on the Occasion, they concluded, that lenitive Measures might be most likely to prove Successful, not only as they frequently have a very prevalent Influence upon the Minds of Men, but also because two Petitions were then preferred on behalf of those Rioters, the one to your Excellency, the other to the Assembly, setting forth in Substance, an Acknowledgement of their Misconduct, praying Forgiveness in the Same, and appearing inclinable to return to the Duty; and by their Substitutes made sundry Proposals to *James Alexander* and *Robert Hunter Morris Esq^r*: their Antagonists, for coming to Tryal under the contested Lands, which had in great Measure occasioned those Disorders; and although these Gentlemen did not at that Time comply with these Proposals, yet it was hoped they would;

Since which we find, by the Records of the Supream Court, that *Francis Spier* one of the People in Possession of the Lands claimed by the abovesaid Gentlemen, hath had an Attorney and Council appointed him by that Court in order for a legal Tryal; that in Consideration of what has been above advanced, the Assembly were induced to apply to your Excellency to know your Pleasure concerning extending His Majesty's gracious Pardon to those Rioters, so far forth as by his Royal Commission You were Impowered to do; to which You was pleased to reply, "that " You would do all in your Power to restore the Peace " of the Colony in Joyning with the other Branches of " the Legislature, in such Measures as they should " think proper for that Purpose," which kind Reply induced the House to appoint a Committee to Joyn a Committee of the Council, in a free Conference, upon that important Subject; and on the Assembly's Application to the Council, a Committee of the Council was also appointed; and these Committees met and entered upon the Subject of their Meeting, when the Committee of the Assembly found to their Surprise, the Committee of the Council were only impowered to receive Proposals from the Committee of the Assembly upon the said Subject; whereby the freedom of the Conference, was greatly obstructed, and predicted to them the Improbability of any Success from that Conference; However, that nothing might be wanting on the Part of the Committee of the Assembly to render the said Conference useful, they made a Proposal touching the Premises, which, in their Opinion, would contribute towards restoring the Peace of the Colony; which not being agreed to by the Committee of the Council, nor by their House, the said Conference did not produce the desired Effect.

Having premised these Things, We cannot but be humbly of the Opinion that both the late and present

Assembly have, with assiduity, discharged their Duty, in using what they Judged the most likely Ways and Means for the restoring the Peace and Quiet of the Colony; and that neither of these Assemblies can Justly be Chargeable with being deaf to what your Excellency has from Time to Time recommended on that Head. If these Assemblies have differed from your Excellency and Council in their Opinion touching the Measures necessary for restoring the Peace of the Colony, and have conducted themselves agreeably thereunto, this We presume don't indicate any Breach of Duty in them; but, on the contrary, serves to discover that they have acted by their own Judgment, which as a Branch of the Legislature they have a Right to do without being accountable to the other Branches for the same; and if their Measures have been more Mild than what some Gentlemen would prescribe, these audacious Villains who disturb the publick Peace ought not to take any Incouragement from thence to persevere in their detestable Practices; but, on the contrary, in Duty to the KING, in Regard to good Government and the Welfare of the Colony, they ought to return to their Duty and become peaceable Subjects; and all those who can by their Persuasions and Influence contribute towards this desirable End would do well to promote it, and this We shall each of Us use Our utmost Endeavours to advance and have some Reason to expect will be effected.

We have lately received a Petition nearly in Substance the same with one, We are informed, hath been presented to your Excellency and the Gentlemen of His Majesty's Council, from the two Persons mentioned in your Excellency's Speech, to have been rescued from the KING's Goal for the County of *Essex*, which Petition sets forth, that after repeated Application of the said Petitioners for a Tryal without Success, and their long Confinement being prejudicial to them

and their Families, they the said Petitioners, were induced unadvisedly to depart the Goal by the commiserating Aid of others: But on further Consideration they the said Petitioners were convinced of the Illegality of their Proceedings, and thereupon have submitted themselves to their Confinement, praying the House to intercede with your Excellency for their immediate Tryal. That they have submitted to Confinement appears confirmed by a Certificate under the Hand of *John Style*, Keeper of the Goal aforesaid.

If your Excellency has represented to His Majesty the Measures taken by the late and present Assembly for bringing the Colony into a State of Tranquility, as well As the present deplorable State thereof, We from thence conceive Our gracious Sovereign will not impute any Misconduct to either of these Assemblies; However, as we are at present unacquainted with what your Excellency has Represented, as also what may have been Represented on this Head by the Gentlemen of His Majesty's Council, We depend on his Majesty's known Justice and Goodness to hear what the Assembly of *New Jersey* have to say in Defence of their Conduct before any Thing be determined thereon.

Had the Gentlemen of His Majesty's Council assented to any one of three Bills the Assemblies in the several Sessions preceeding the present, *for enabling the Legislature to settle the Quota's of the respective Counties in this Colony*, sent them for Concurrence, the Treasury might have been supplied before this Time; or if they would have given their Assent to a Bill for that Purpose sent them by this House for Concurrence a few Days past. We on Our part would have made further Provision for supplying the Treasury with all convenient Dispatch; and still are willing to do it as soon as we can have it done in an equitable Manner: But as they still refuse their assent to that necessary Bill, the Officers of the Government must

ascribe the Injustice done them, in being kept out of their Dues, to the Council, and not to the Assembly, who have heretofore, as at this Time, provided for their respective Salaries and Sums of Money due from the Colony.

We acknowledge what your Excellency is pleased to say of a good Agreement amongst ourselves and its Tendency, and on Our Part shall Endeavour to promote it, not only because the Winter Season is approaching and Our private Concerns will require Our Attendance, but because a Speedy Dispatch of the publick Business will Ease the heavy Burthen of Expence that attends long Sittings; and We thank your Excellency for the Offer You make of your Concurrence with what We shall Judge necessary to promote the Honour of His Majesty and the Welfare of His Loyal Subjects in this Colony committed to your Care

By Order of the House

Samuel Novell Speaker

Several of the Members being of the People called Quakers agree to the Matter and Substance of this Address with their usual Exception to the Stile.

Petition of the House of the Representatives of New Jersey to the King—relative to the condition of the Province, October 19th, 1749.

[From Printed Minutes of the Assembly among the Papers of James Alexander, Vol II, No 61, in Rutherford Collection.]

To His most Sacred Majesty GEORGE the Second, over Great Britain, France and Ireland KING, Defender of the Faith, &c.

The Petition of the House of Representatives
of the Colony of New Jersey in General
Assembly convened.

Most humbly Sheweth,

THAT the Proprietors of the Eastern Division of this Colony from the first Settlement thereof, have surveyed, patented, and divided their Lands by Concessions amongst themselves, in such Manner as from thence many Irregularities have ensued, which have occasioned Multitudes of Controversies and Law-Suits, about Titles and Boundaries of Lands.

That the Inhabitants of this Colony have hitherto fully demonstrated their Principles of Duty and Legality to the Government, as by the Laws of Great Britain it is established in Your Illustrious House, by Supporting of Government to their best ability: granting Aid in Time of War, when required by any Intimations of the Royal Pleasure; and by a ready Submission to the Laws of the Land, excepting of late some imprudent People have in a riotous Manner obstructed the Course of legal Proceedings brought against them by their Antagonists, touching some of those Controversies about Lands.

That those Controversies have subsisted between a Number of poor People on the one Part, and some of the rich, understanding and powerful on the other Part, among whom are *James Alexander*, Esq; a great Proprietor, an eminent Lawyer, one of Your Majesty's Council and Surveyer General for this Colony, although a Dweller in New York; and *Robert Hunter Morris*, Esq; Chief Justice and one of Your Majesty's Council in said Colony.

That the said Alexander and Morris not yielding to determine the Matters in Contest by a few Trials at Law, as the Nature of the Thing would admit, but on the Contrary discovering a Disposition to harass those

People by a Multiplicity of Suits, the last mentioned became uneasy (as We conceive) through fear of those Suits might be determined against them, when considered that the said Chief-Justice Morris was the Son of the then late Governor Morris, by whose Commission the other Judges of the Supream Court Acted; and by whom the then Sheriffs throughout the Colony had been appointed. And should a Multiplicity of Suits have been determined against those People, instead of a few only, which would have answered the Purpose, the extraordinary and unnecessary Charges occasioned thereby, would so far have weakened their Hands as to render them unable to appeal to Your Majesty in Council, from whom they might expect impartial Justice.

That these are, in the Opinion of the House, the Motives that prevailed on those unthinking People to obstruct the Course of those legal Proceedings, and not any Disaffection to Your Majesty's Person or Government.

That the said late Governor Morris, during his Administration, exercis'd the Royal Powers with him intrusted by Your Majesty, very detrimentally to the Welfare of this Your Majesty's Colony, as is more particularly set forth in a Message to His Excellency our present Governor, a Copy of which we beg Your Majesty's Leave to suffer our Agent to lay before You: which with other Reasons induced the Assemblies towards the latter Part of his Administration to propose providing for his Support, on Condition he would do the Duties of Government, which was the Reason he would not accept it, and therefore died without having any Salary for about *Twenty months*, during which Time he appeared highly incens'd against those Assemblies, and endeavour'd by Insinuation to charge the Irregularities of those impudent People to a Want of Loyalty to Your Majesty.

That since the said Governor's Decease, his Son the said Chief Justice has kept up his Father's Resentment against the late and present Assembly, for not making Provision for Payment of what he calls his Father's Arrears, and seems inclinable to improve any Thing he can to the Prejudice of those Assemblies; and because they have been disinterested in the private Contests about Lands and so have preserved a strict Indifference between the contending Parties, without favouring his Interest, we understand, he and his Adherents have from thence taken Occasion to charge those Assemblies with abetting those disorderly People, which We presume gave Rise to a Petition said to be transmitted to Your Majesty by the Council of Proprietors of the said Eastern Division of this Colony, of which We have a Copy wherein divers Facts are set forth that We don't admit to be true: And the principal Men of the said Council of Proprietors are likewise the most leading Men in Your Majesty's Council here, We have some Reason to expect something of the like Nature, either hath already been, or will hereafter be sent to your Majesty from them, to obviate which, as far as may concern the Conduct of the Assemblies, We further beg leave that Your Majesty will suffer our Agent to lay before You a Copy of what we have said to His Excellency our present Governor on that Head in our Address.

That as an Argument of the Loyalty of those Assemblies, we may with great Humility remark, that they have with a most cheerful Alacrity, granted upwards of 24.000*l*, to aid Your Majesty in the late War against the Powers of France and Spain, including a loan to Your Majesty for Arming and Clothing the Forces raised in this Colony, upon the late intended Expedition against Canada, in pursuance of Your Royal Pleasure signified by the Duke of Newcastle's Letter of April 9th, 1746. And by the Zeal of those

Assemblies for the Success and Glory of Your Majesty's Arms, this poor Colony is greatly involved in Debt; and to relieve them therein, a Bill for striking 40,000*l*. in Bills of Credit has been transmitted, with a suspending Clause, for Your Majesty's Assent which We humbly pray may obtain it, or otherwise this Colony will be in a most distressed Condition.

That as a further Instance of the Assemblies Loyalty, they have within less than two Years, passed four several bills at different Sessions, for enabling the Legislature to settle the *Quota* of each respective County in this Colony, as a preparatory Step for levying Provincial Taxes for Supply of the Treasury, to the End Government may be Supported in an Honourable Manner, and the Debts of the Colony discharged, with all convenient Dispatch. But so it is. May it please Your Majesty, that the Council have hitherto amended those Bills in such Manner that the House could by no Means agree to, under pretence that some Part of them is repugnant to one of Your Majesty's Instructions, which We understand in a different Light, and do find the Part objected against by them conformable to a former Law of this Colony, consistent with the said Instruction, and agreeable to Justice and Equity, so that these Gentlemen's repeated Dissent to that Bill, seems to discover some sinister Views in them, they being possessed of large Tracts of profitable Lands which by the said Bills, as passed by the Assemblies, would have been liable to be taken an Account of in order to be hereafter Taxed.

That as the preceding Assemblies of New Jersey, have hitherto Demonstrated their firm Attachment to Your Majesty's Person and Government, so We, as by Duty and Interest We are obliged, shall always continue to do the same, humbly Beseeching Your Majesty will be graciously pleased to continue to Your loyal Subjects of this Colony, Your Royal Countenance

in such Manner as You in Your Wisdom shall see meet.

And We Your Majesty's Petitioners as in Duty Bound shall ever pray, &c.

By order of the House

SAMUEL NEVILL, Speaker.

Several of the Members of the House, being of the People called Quakers agree to the Matter and Substance of this Petition with their usual Exception to the Stile.

*Letter from Governor Belcher to the Lords of Trade—
as to the Proceedings of the Legislature.*

[From P. R. O. B. T. New Jersey, Vol. VI. G. 481]

P. Amboy October 24th 1749.

May It Please your Lordships

The 27th of June last, I had the honour, of writing your Lordships Since which I have had no Letter from your Lordships.

I have, May It please your Lordships, been here About three weeks, Attending A Session, of the Assembly, of this Province; in which not A Single Bill has been past, by the Legislature, But the whole Session, was Spent, in dispute and Contention, between the Council, and Assembly; I have directed the Secretary, to prepare the Journals, of this Session. That I may have the honor, to transmit them, to your Lordships, as Soon as possible; The State of this Province, My Lords, as to the Rioters, Is much, As When I last had the honour, of writing your Lordships; or rather worse; nor do I expect, to See things better till I may recieve the honour, of His Majestys especial orders,

respecting the Rioters, which I am daily expecting, and have therefore prorogued this Assembly, to Meet Me Again, the 30th of Next Month

I remain, wth great Respect My Lords
Your Lordships Most Obedient
& Most Humble Serv^t
J BELCHER

[Enclosed in the foregoing letter.]

Perth Amboy October 20th 1749

In Obedience to your Excellencys request, We have Examined the State of the Paper Currency which We find to be as Follows which is Submitted to Your consideration by

Your Excellency's
Most obedient & most humble Servants
AND^Y JOHNSTON, Tr^y
CHA READ Secr^y

The thirteenth day of August One thousand seven hundred and thirty three, An Act passed the Legislature here for making forty thousand pounds in Bills of Credit with a Clause Suspending the effect of it till his Majesty's Pleasure was known.

May the fourth One thousand Seven hundred & thirty five the King gave his Royal Assent to the same.

March the twenty fifth One thousand seven hundred and thirty seven the Bills were issued, being in Value at about one hundred & Seventy pounds for one hundred pounds Sterling of which Value they are at this time and with respect to New York Currency are of something more value now, than at that time.

The bills issued by Virtue of this Act were let out on Land Security of double the value in plantations & treble the Value in houses and Lots, & were to be paid in again in equal Proportions in Sixteen years with five Per Cent Per Annum Interest the first eight years of their Currency the parts of the principal paid in each year were let out again and the last eight Years an eighth part of the whole Money was annually to be Sunk and destroyed; in pursuance of which twelve annual Payments have been made by the borrowers & four eighth Parts of the whole Sum is Sunk So that their remains of the said forty thousand pounds now Current twenty thousand Pounds, the Interest was to be applied to the Support of the Government

In the said Act was a Clause for Printing ten thousand Pounds more of Bills of Credit which were to be applied to exchange such Bills of Credit Current as should from time to time be so worn and ragged to be unfit to Pass.

On the Expedition to the West Indies a Law Passed in the year One thousand Seven hundred & forty for issuing out of those Bills Printed for exchanging ragged Bills for Victualing the Forces sent from hence on that Expedition & to be repaid out of the Interest Money arising from the Loans of Bills of Credit the Sum of two thousand pounds.

The twenty eighth of June One thousand seven hundred & forty Six. By An Act passed for raising Forces for the intended expedition against Canada, Transporting & Victualling them for four Months there was made Current out of the said bills designed for exchanging ragged bills the further Sum of four thousand pounds, which was to be replaced in a time & manner therein perfixed and together with the before mentioned two thousand Pounds still remains Current

The twenty eighth of June One thousand seven hun-

dred and forty six, Another Act Passed for making ten thousand Pounds in Bills of Credit for arming and Cloathing the Said Forces which was to be Exchanged with the Money reimburs'd by his Majesty (according to his Grace the Duke of New Castle's letter) and if that would not be Sufficient then out of Interest Money of the Bills of Credit or by such ways & Means as the Governor Council & Assembly Should Provide, most Part of this was issued in the Service aforesaid & remains Current, Also by this Act was directed to be Printed Six thousand Pounds in bills of Credit to Exchange ragged & torn bills as there should be Occasion.

November the first One thousand Seven hundred and forty Six An Act was passed for issuing of the bills of Credit last mentioned printed for exchanging ragged bills for further Victualling Forces Eight hundred & fifty Pounds which was to be replaced out of the Interest Money arising from the Loans of the Bills of Credit.

May the eighth one thousand Seven hundred and forty Seven Another Act was passed for issuing more of said bills for the purpose last mentioned the Sum of One thousand Pounds to be replaced as the last Sum.

So that there remains Current in this Colony nearly the sum of thirty Seven thousand eight hundred and fifty pounds

Of which remains as a debt upon the Province Seventeen thousand eight hundred and fifty pounds only it is not doubted but that his Majesty will reimburse, the Province, what was expended by his direction also remains a debt, the first mentioned two thousand pounds borrowed & Continued Current to Supply the Forces besieging Louisbourg and borrowed again on the intended Expedition against Canada which is four Thousand pounds, in all twenty one Thousand eight hundred and Fifty pounds

The Interest Money has not been Sufficient to pay the Salaries of the Officers of the Government and the Expences of the Sessions of Assembly & other necessary and Contingent charges of the Government in which is a large deficiency, but the reason of replacing so many Sums out of Interest was in expectation of his Majesty's approbation of Another Act for making Forty thousand pounds.

Letter from Ferdinand John Paris to James Alexander -in answer to his stating the difficulties that would attend the junction of the Provinces of New York and New Jersey.

[From the Original Draft among the Papers of Mr. Paris in the Library of the N. J. Hist. Society.]

James Alexander Esq^r

Surry Street London 10. Nov^r 1749

Sir

[Extract.]

I am greatly concerned, at what you write in the Joynt L^re from yo^r Self & M^r Ch: Justice, of y^e 23^d of Sep^r * * * * * that I have mistaken yo^r L^res, as to the relief that would be effectual. Affairs may have varied in y^r province, or there may now, be reasons to desire that y^r Two Governm^{ts} sho^d not be united but indeed, I did apprehend, from y^r L^res, that what I proposed would have been effectual, & far more effectual than any paper Inst^tions to have been Sent over to the present Gov^r who would have softened these Instru^s & made them as innocent, as white bread & milk, by that time he had had the enforcing of them. I now enclose you the paragraphs of Sevⁿ

L^res from you w^{ch} led me to think & act in y^e way I did, & upon my Word, from these L^res I should have fell into just y^e same Way of thinking. Again, had not yo^r Letter of 23. Sept. told me otherwise, I thought then it was in the point, that of the two last (those of 4 & 5 June) I gave Copys to my Lord Dupplin. As to yo^r having consulted the rest of the Co^{ll} upon such a proposic^on, that I am quite unacquainted with. I rec^d my Ordⁿ only from yo^r selves, & not from any others of the C^ouncill, but am heartily vexed that you sho^d think I had mistaken them: However, one thing comforts me that M^r Ch: Just: may in all probability arrive here, instructed from y^e whole Co^{ll} & time enough to make any further Representaⁿ that may be necessary, upon the new State of m^res, before our great Men will have fixed upon *any* p^ticular Scheme to be p^{as}sed: for our Parliam^t meets next Thursday, & our Ministers, a y^e beginning of a Session, seem to me, to have their heads so full of m^res hear at home, as not to be at lib^{ty} to consider those troublesome Affairs w^{ch} tarrye at so great a distance.

I shall every day look for M^r Ch: Justices arrival.
And remain Sir Your most obed^t h^{ble} Serv^t

FERD. JOHN PARIS.

*Letter from Governor Belcher to the Lords of Trade
about Proceedings of the Assembly.*

(From P R O B T New Jersey Vol VI O 9)

Burlington, N. J., November 27, 1749

May It Please Your Lordships

The last Letter, I had the honour, to receive from your Lordships, bore date, The 20th of November Last, the rec^d of which, I ownd to your Lordships, 21: April

following: That Letter of your Lordships, noted the rec^d of my Letters, to 20: of June 1748—Since that, I find I have wrote your Lordships, under the following dates.—

October 18: 1748

November 12:) Last past, all w^{ch} I hope have had,
 April 21:) and will have the honour to kiss your
 22:) Lordships hands;—and when your
 June 27:) Lordships leisure, may Allow I shall
 & October 28:) be proud, of the favour of your Lord-
 ships Answers:

I am now to Acquaint your Lordships, That after a Short Session, of Assembly, of this Province. I take the first Opportunity to transmit to your Lordships

Transcript, of the journals, of the Council &

The printed Journals, of the Assembly; in the said Session And by these, your Lordships will, see no one Single bill, was Agreed to by the Council, and Assembly, but the whole Session, was Spun out, by them, in Dispute and Contention, to the great dishonour of the Kings Government, and to the hurt and damage, of the People—Nor is there a Shilling in the public Treasury, of the Province, to pay the Kings Governour, or Any other Officer (or Emergency) of the Government, the Council and Assembly, being peremptorily Set, each in their own way, and Manner, of raising Money for the Necessary Support, of the Government, and for the payment of the publick Debts:

The Assembly wou'd enter into no Measures, for Suppressing the Rioters; And the Council Spent a great part, of the Session, in taking a number of Affidavits, respecting the Rioters, which they Laid before Me; and have Sent the Same home, by their Agent, M^r Morris, to be communicated, to your Lordships, by Which, your Lordships will readily See, the Spirit of Rioting, Remains Still the Same, As I have been constantly representing, to the Kings Ministers, from my

first Arrival, to this Government; and on this Account, all Matters of Government, Seem to be Stagnated, and I am Afraid, will so remain, till Some Smart Orders, Arrive, from His Majesty In that Affair; and for which I have been earnestly Applying, for Eight Months past, and Should be proud, to receive them, with some close Animadversions, on the Conduct, of the Assembly: But in this I humbly Ask pardon, and Submit the further Conducting, of this difficult Affair, to your Lordships Wisdom & Prudence—

As to the Matter, of the Arrears, due from this Province, to the heirs, of the Late Governour, the payment whereof, your Lordships So earnestly, prest upon Me, to recommend, to the Assembly,—and which I did in the best Manner, I cou'd, taking the Advice of His Majestys Council, in An Affair, that So much Affected the honour, of His Majesty Government; and the interest, of the Said late Governour's heirs; and I am Sorry, what I Said, to the Assembly, on that head, produced So unreasonable An Answer; I humbly refer your Lordships, to the inclosed papers, for particulars, and when your Lordships have lookt into them, I believe, your Lordships will be of Opinion, That there is hardly a probability of Obtaining the payment, of those arrears from the Assembly, of this Province—

I have the honour, to be with much Respect My Lords,

Your Lordships Most Obedient &
Most Humble Servant
J. BELCHER

*Letter from David Ogden to James Alexander—about
Riot at Horseneck.*

[From Original among Papers of James Alexander, Vol. 11, No. 30, in Butlerford Collection.]

James Alexander Esq^r at New York.

Newark Novem^r 27—1749.

Sr

About 14 days past we had a Riot Committed at Horseneck. I have omitted Sending you an Acc^t thereof hoping to be able to send you Affidavits of the Riot as it was Committed having several times Endeavoured to prevail on our Justices to send for the person Griev'd & the Other Witnesses of the Riot in order to take their affidavits but the same has been omitted either through their own particular business or not being willing to appear in that affair, the particulars whereof as well as I can Inform you are, that in the Night 8 or 10 of the Rioters Came to the house of one Abraham Phillips Some broke open his door and Entred his house others pulled of the Roof from his house, they then turned Phillips out of his house threatening him with death, they tarried all the night at the house and in the Morning at their departure Set fire to and burnt down a Stack of Oats of said Phillips —While the Rioters were at Phillips's they fired a great Number of Guns making a hideous noise the whole night, whether the Rioters brought fire arms with them or found them at Phillips's house I am not Informed.

proper affidavits of this Riot I believe would be proper to Accompany our Assembly's representation home of the pacifick Spirit of the Rioters.

Our Justices not being so Capable &c whether it would not be best to have Justice Nevil to come up

here and take proper affidavits of this Affair I submit to you, as the Rioters at present seem to have some thing abated their resentment ag^t me I beg to be Excused in this Affair. * * * * *

Your Most Obedient Hum^{bl} Sert^t

DAVID OGDEN.

Two Letters from Richard Smith, Jun^r, to Richard Partridge, Agent for New Jersey--about Proceedings of New Jersey Legislature.

[From P. R. O. B. T. New Jersey, Vol. VI, G 68.]

Rec^d from M^r Partridge. Rec^d & Read May y^e 20th 1750

PHILADELPHIA 27th of 9M^o 1749

Fr^t Rich^d Partridge

I am just now return'd from Aniboy to this Place but too late to write thee as I would do, the Ship being gone down, & I send this by an Express after her to let thee know that our Session is broke up without any Laws, we are now got to that pass that the Council have amended y^e Support Bill till they have Spoilt it, & thereby prevented it passing, & I cant think anything will be done until there is a Change of some of them. thy letters came Seasonably to hand & were laid before the House of Assembly & thy care therein is much to their satisfaction, they have made a petition to y^e King, & Representaⁿ to y^e Board of Trade, one of each I inclose just to apprise thee of what may be expected from us by y^e first Opportunity as they will not be perfect till y^e Things therein mentioned come to hand, no great use can till then be made of them. I was disappointed of having them here is the Reason they do not come now

RICH^d SMITH JUN^r

P. S. I have herewth sent the Votes as far as they are printed & shall forward the rest as soon as possible.

BURLINGTON 20th of 10M° 1749

Worthy Friend R. Partridge

The above is a few lines I sent from Philad^a some time since on y^e occasion therein mentioned, I may now acquaint thee that I rec^d thine of y^e 15th of 12m^o 1748—the 4th of 1st mo. 1749. the 23^d, the 14. of 2^d mo. 1749.—3^d of 4mo. the 28th of 4m^o. the 24th of 5m^o the 25th of 5m^o the 2^d of 6m^o the 8th of 6m^o the 7th of 7 mo. & 12th of 7 mo. 1749. all w^{ch} except the three last were laid before the House of Assembly. & well approved by them, as I intimated to thee above, I now here inclose Two setts of the Votes, One Petition to the King, one Representaⁿ to y^e Board of Trade, & a Copy of the Message, & Abstract of the Address, both drawn out fair & signed by the Clerk of the Assembly to be presented wth the Petition to the King w^{ch} the Assembly thou wilt see by their Minutes depend on thee to present, I had no opportunity of sending them sooner than by this Vessel Cap^t James who is y^e first since Cap^t Mesnard for London, otherwise they w^d not have been delayd till now, I can't particularly answer all thy letters neither do I apprehend it necessary as they have been laid before y^e House & been answered by them, in one I observe thou had taken some pains to collect y^e Case of a Tryal that had been appealed home on, & w^{ch} thou took to be the Case of those People Ryoting. But it was y^e Case of the Elizabeth Town People w^{ch} is very different, from many of these Ryoters for they have only Indian Deeds & don't pretend any other Grant or at least are not like to be able to make out any other, thou urgest the raising of Money to guard y^e Goals w^{ch} is a thing quite impracticable here, because of the general Outcry or dislike to those called the Proprietors, they have, how justly I cant say gotten such a general Odium on their Name that the People w^d not pay any Money to support their Schemes that it

would but have been setting the Country by the Ears for y^e Legislature to have attempted the raising of Money for that service; As to y^e Paper Money Bill I am sorry we are like to loose it, if thou canst have any prospect of saving it, it will be well to do it, if not, we must be content, tho' it seems a hard Case that y^e Representation of one prejudiced Person sh^d be more regarded at that Board than y^e whole Province besides, & we are at a loss to know how this Province is indebted to Farrin and to Paris as is represented by y^e Lords of Trade, if thou hast employ'd him, y^e Assembly desires thou'lt do it no more since he has taken upon him to be their greatest Opposer, thou will observe that what y^e Assembly have done relating to y^e Ryoting Affairs is in their own defence not with any design to espouse the Ryoting Cause neither do they desire thou wilt any further enter into that Affair than to save the Province & the Assembly of it from anything that may be charged on them to their disalvant^e for Neglect, which they have been charged with on that acco^t,

I can say but little more on acco^t of the Arrearages than what y^e Assembly have said in their Message, but that y^e Memory of P^{son} & one more. his Family are so disagreeable to y^e people in gen^l here that they'l never be likely to get them paid by an Assembly of New Jersey. Thoult see by y^e Minutes the Miserable Shifts the Council were put to, to not pass the Support Bill, the design in that is thought here to keep the Gov^r And thee out of your Money, the Gov^r notwithstanding all their fair pretences to him, I know from frequent Intelligence I have, they by no means like the coming in by a wrong Interest; And thee I am informed the Chief intends to object to, as not being appointed Agent by Law, And to blame the Assembly for taking upon them to appoint an Agent without the Gov^r & Council, this it seems tho' no more than what has been done for upwards of Twenty years

is now to be a Crime in the Assembly of no less Nature than assuming y^e Government to themselves. One of the Amendm^t to y^e Support Bill was that we should have no Agent but what was appointed by Law, another of them was that the Gov^r should sign no Warrants for Money but such as should be approved by Council which I take to be design'd for stopping thy Warrants being signed when ever thou wrote or did any thing disagreeable to them, for now thou must note they are only to be signed in Council.

*Letter from David Ogden to James Alexander—about
the rioters at Horseneck.*

[From the Original among Mr Alexander's Papers Vol II, No. 56, in Rutherford Collection]

To James Alexander Esq^r at New York

Newark Dec^r 1. 1749

Sir

Since my last to you 5 of the Rioters Mentioned therein have been apprehended and brought before 2 of our Justices who on Examining the Witnesses present & the Rioters were of Opinion that Edward Archer and one Elisha Clark not taken as yet were the persons that broke open and tore off the Roof from Phillips House and also Set fire to the Stacks of Oats flax & Corn Stalks without the Assistance of the other Rioters who were at some distance from the house (about 30 rods) round a fire they had made there in the Woods Archer is Committed to Goal, the other 4 have given Security to appear at the Next Court of General Sessions of the peace for this County I was present part of the time when the Rioters & Witnesses were Examined, and Archer and Clark appeared to me to be the Chief promoters of the Riot and believed from some Circumstances that one or both of them set

fire to the Stacks, about 12 of the Clock at night without the privity of the Other Rioters they being then at said fire—I have obtained from the Justices Certified Copies of the Depositions of the witnesses they Examined which I send you Enclosed, there were other Witnesses Subpœnaed but did not appear before the Justices, when their depositions are taken I shall procure Copies thereof and Send them you

As our Justices Seem to be in Earnest now to Examine into this Affair I believe they will go through the same without further Assistance &c.

This Riot seems to Shock the more thinking part of the Rioters, Judging that it happening so soon after their Humble petition to his Majesty will show their Insincerity too plain they having mentioned in their petition that they should no longer Oppose but would Submitt to the Laws and the Authority—if you have any directions to send in this Affair the Barer can bring the same to

Your Most Hum^{ble} Serv^t

DAVID OGDEN

Letter from Governor Belcher to the Secretary of State—enclosing affidavits to show the state of the Province.

[From P. R. O. America and West Indies, Vol. XIV, p. 321.]

Burlington in New Jersey 26th Dec^r 1749

May it please your Grace

I had the honour of writing your Grace, the 27th of last Month, a duplicate whereof, goes with this, and to which, I humbly referr your Grace, in the publick Affairs, of this Province.

A Ship is daily expected at Philadelphia, from London, by which I hope, to have the honour of hearing

from your Grace, with the Kings especial Orders, respecting the difficult Situation, of the Affairs of this Province.

There is no money in the publick Treasury, for Any use, or Service whatsoever, and the Spirit of Rioting, continues, to be As much, and as violent, as ever; A recent Instance Whereof, your Grace will find, by the inclosed, which is Copy, of an Affidavit, Sent me, a few dayes Agoe; Upon this I have Summon'd the Kings Council, and I shall communicate this Matter to them, and take their Advice, whether it may not be, for his Majestys Service, and for the welfare, of this People, to call the Assembly and Again to lay before them, the deplorable, distrest State of the Province; And Although I concieve, but little hopes of their doing Any thing to Purpose, yet it will give them, one more Opportunity of falling into their duty by joining with the Governour and Council, in passing Such laws, As are Absolutely Necessary for Supporting the Government and For Suppressing the Rioters. But if they Should continue inflexible, they will be without excuse: And His Majesty will, no doubt, go into Affectual Measures, for restoring the peace of the Province, and for upholding the honour, and dignity of this Government

I remain with the highest regard and deference

My Lord Duke Your Graces Most devoted

Most Obedient and Most Humble Servant

J. BELCHER.

Enclosed in foregoing.

Province of /
New Jersey / 38

ABRAHAM PHILLIPS, of Horse-Neck in the County of Essex and Province of New Jersey, Husbandman, of full Age, being first duly sworn upon the Holy Evan-

gelists, saith, That some Time about the Beginning of the last Spring, he this Deponent desired one Matthew Phillips to speak to James Alexander, Esq and Chief Justice Morris about a Piece of Land lying at Horse Neck, which this Deponent had heard belonged to the aforesaid Gentlemen, for that this Deponent was desirous to lease or purchase the same: That the said Matthew Phillips informed this Deponent that he had spoke to the aforesaid Gentlemen, and that they were willing this Deponent should go upon the Land: That accordingly said Deponent took Possession of One Hundred Acres of Land in the Name of the said James Alexander, Esq and Chief Justice Morris at a Place called Horse Neck, being Part of a Tract of Land which this Deponent understands to be pattented to a Number of Persons called the West Jersey Society; and which Tract of Land this Deponent hath heard was lately purchased by the said James Alexander and Robert Hunter Morris Esq. And this Deponent further saith, That there was Part of a Logg-House standing upon the Premises at the Time when he took Possession of the Land, which this Deponent improved and finished so as to make it fit to live in: That there were about Three or Four Acres of the said Land cleared, as this Deponent hath been informed, by one Thomas Archer, but that the said Archer hath quitted the same about Five Years ago, yet pretended a Claim to it by virtue of an Indian Purchase, and hath offered to rent or sell the same: That this Deponent hath made some small Improvements upon the said Land, such as Building a small Logg-House, Fencing of a Hog-Pasture, and planting out a few Apple-Trees and a few Peach-Trees; and fully intendeth to purchase the same as soon as a Lawful Owner appears. And this Deponent further saith, That on Thursday the Ninth Day of November last, about Noon, one Aaron Clawson came to this Deponent's House, and this De-

ponent having heard a Gun fired off about a Quarter of an Hour before, he asked the said Aaron Clawson whether they were about Mobbing? And the said Clawson answered, No! And then went away in a Friendly Manner without using any Threats: That the same Afternoon this Deponent had sent two Sons of Matthew Phillips to fetch his Mare: that when they came back, they told this Deponent that one John Massacher said he wanted to speak with this Deponent: and that the said John Massacher further said he would have this Deponent's Blood out of his Body: That about an Hour before Sun Set, or a little better, of the same Day, the Six following Persons came to this Deponent's House, to-wit, Edward Archer, Hendrick Riker, John Massacher, Aaron Clawson, Hendrick Riker, jun. and Isaac Riker, with a Sled and Horses, and carry'd away some Old Loggs, lying upon the Premisses, which belonged to a House formerly built by Thomas Archer, in order to put upon a House building by Edward Archer upon some Lands claimed by the Ashfields. That after they had carry'd off the said Loggs, the Six Persons above-mentioned returned to this Deponent's House; and this Deponent was told by Matthew Phillips's Children, That they were pulling down the Fence about this Deponent's Stack-Yards: Upon which this Deponent went out and forewarned them, telling the said Six Persons, who all or most of them were tearing up the Fence, That if they let in the Creatures to destroy the Stacks, he would make them smart for it: That Edward Archer then told this Deponent, he might Kiss his Arse, and swore by God that he would do it in spite of him or any one else. That the said Persons next tore down his Hog-Pen, and turned his Fattoning Hogs loose, who ran into the Woods, and it was three or four Days before he could find them again, when a Breeding Sow of this Deponent's was found dead. And this Deponent

further saith, That after this the said Six Persons, to-wit, Edward Archer, Hendrick Riker, John Massacher, Aaron Clawson, Hendrick Riker jun. and Isaac Riker, came up to this Deponent; and inclosed him, and insulted and threaten'd him very much; and Edward Archer spit in this Deponent's Face and call'd him Coward; And the said Edward Archer said he would have this Deponent's Improvements from him, and that he would come to live there that Week: And the said Edward Archer asked his Companions if they would stand by him, who swore to God they would to the last. That this Deponent saw a gun in the hands of Hendrick Riker jun. and being very much terrify'd and thinking himself in Danger of his Life, he told his Mother, an antient Woman then in the House, That he thought they had better go away; and accordingly this Deponent locked the Door of his House, and his Old Mother went to the House of Matthew Phillips, about Two Mile and a Half off, and this Deponent went to the House of Conradus Bush, his Brother-in-Law, about two Miles and Three Quarters off; and this they did through Fear and for their Safety: That it was then after Sun-Set of the same Day, to-wit, Thursday the Ninth of November: That just before this Deponent went away, he saw Edward Archer pull down a Foundation which this Deponent had laid for an Oven, and scattered the same about: And when this Deponent left his House as aforesaid, the afore-mentioned Six Persons were about his Stacks; but what they were doing there he cannot say. And this Deponent further saith, That about Ten of the Clock the next morning, he this Deponent returned to his House, when he found the Door of his House broke open and stolen away, about a quarter part of the Roof of his House torn off, a Stack of Oats of between Twenty and Thirty Bushels, a Stack of Corn Stalks and Flax, some Buck-Wheat Straw, in short,

all the Provision and Fodder which this Deponent had got to subsist his Creatures during the Winter, were all consumed to Ashes, and burnt (as this Deponent hath Reason to believe) by the above-mentioned Six Persons, to-wit, Edward Archer, Hendrick Riker, John Massacher, Aaron Clawson, Hendrick Riker jun. and Isaac Riker, all or some of them. And this Deponent further saith, That his Mother, Mary Phillips, and one Lidia Phillips, Wife of Matthew Phillips jun. were come to the House before this Deponent, and that they informed him, that when they came there they found this Deponent's Goods in the Streets, being removed out of the House; and this Deponent saw his Goods in the House, but out of Order, and a Table and two Wooden Trenchers broke to Pieces: And the said Women told this Deponent, That they had carry'd the Goods into the House again, and that they found them in the street. And this Deponent further saith, That the Chief Part of his Neighbours in and about Horse-Neck are of the People called Rioters: That about a Twelvemonth ago, one Frans Cook brought a Paper to this Deponent to sign, and being read to him, he found it to be a Subscription to collect Money, in order to have a fair Tryal for the Tithe of the Lands, and thereby to give Peace to the Country; for which End (and no other) this Deponent subscribed Seven Shillings; but as no such Proceedings hath gone on; he hath not yet paid the Money: That some of the Rioters, particularly one Gerard Spier, would have persuaded this Deponent to have joined them in taking a man out of Gaol; but this Deponent always refused to have any Concern with them; Upon which Account, and upon his Declaring his Inclinations and Intentions to purchase of the Right Owners, this Deponent hath Reason to believe was the principal Occasion of his being thus abused, and his substance destroyed, and

his Person threaten'd. And further this Deponent saith not.

ABRAHAM ^{his} A ^{mark} PHILLIPS.

Sworn this 9th day of December, 1749, before Samuel Nevill one of the Justices of the Supreme Court of Judicature of the Province of New Jersey.

SAMUEL NEVILL.

(Second Enclosure in Gov^r Belchers of the 26th
Dec^r 1749)

Province of {
New Jersey { ss.

THOMAS GOULD, of Horse-Neck in the County of Essex, and Province of New Jersey, Husbandman, of full Age, being first duly sworn upon the Holy Evangelists, saith, that on Thursday the Ninth of November last in the Evening, he this Deponent was informed by his Daughter, That her Uncle Hank and Ned Tinker and a whole Heap of them were going to tear Brom all to pieces; upon which this Deponent said to one Frederick Perry, That he had a good Mind to go and see Poor Brom's Ruins: And thereupon this Deponent and the said Frederick Perry went towards the House of one Abraham Phillips upon Horse-Neck aforesaid: That he saw several Persons about Forty Rod from the said Phillips's House, one of which this Deponent verily believes to be one Elisha Clark of the County of Morris, at the Foot of Horse Neck Bridge; as also one Edward Archer and one Hendrick Riker jun. with a Gun upon his Arm: That he heard the Person whom he took to be Elisha Clark, ask Archer if he did not challenge that to be his own Property: That Archer answered Yes! That the said Clark then said, That if they would take him to be their Captain, he would go foremost; and if they would lower him down, he

would get in at the Chimney, and open the Door: That the said Clark further told them, they must do nothing but what he bid them, and not break anything; and then there was no Law in the World that could touch them, and if there was, he would give them his Horse, (or Words to that Effect:) That the Rioters made a great Shouting and Noise, and fired a Gun four or five Times: That the Deponent went up into the Woods with Frederick Perry, and then they came down another Way near the said Abraham Phillips's House, and the Rioters were still about the same; and this Deponent thought he heard a Noise much like the Bursting open of a Door. That the Rioters had kindled a Fire about Forty Rods from the House. And this Deponent further saith, That he went the next Morning after Sunrise to the House of the said Abraham Phillips, where he saw Part of the Roof of the House broke off, the Door broke open and gone, and a Stack of Oats and a Stack of Corn Stalks, which stood near the said House, were burnt to Ashes, And this Deponent further saith, That it was in the Night, and (as he believes) towards Bed-Time, when he heard (as he thought) Abraham Phillips's Door open, and the said Rioters about the said House; That this Deponent went up to the said Phillips's House, and felt at the Door, which he then took to be fast, and that he then heard the Rioters hallow, and seemed to be coming that Way: soon after which he thought he heard the Door open: And further this Deponent saith not.

THOMAS GOULD

Sworn this 9th Day of December, 1749, Before Samuel Nevill one of the Justices of the Supreme Court of Judicature of the Province of New Jersey.

SAMUEL NEVILL.

Deposition of John Hackett of the Province of New Jersey relating to a Riot committed on the Estate of Messrs. Allen and Turner.

(From P. B. O. B. T. New Jersey. Vol. VI. G 52.)

JOHN HACKETT of full Age being duly Sworn on the Holy Evangelist of Almighty God Deposeth and Saith that on Tuesday the Second Day of this Instant January William Bird and himself together with a Number of Hands went in Order to Get Some Timber for a Mill, on the Land of Mess^{rs} Allen & Turner (being Supposed to be part of the Three Thousand Acres by them purchased of the Society) and began to fall Some for that purpose but in less than two Hours after they began to work John Hendrickson, Jabus Jarvis, Jonathan Stephenson, and John Swarths (all but Stephenson being dwellers on the Societys Tract) together with Two Men More Came to them and forbid M^r Burd from Cutting Down any More Timber Alledging the right in that Land, on which they Were Cutting Timber, to be in no Other person but themselves who were the Eldest Inhabitants and that they were determined to keep the possession thereof till the Right was Decided in England And Upon M^r Birds proceeding to Measure the Timber which was Cut and Stopping Down for that purpose Hendrickson Came with a Club and knocked him Down. And Jabus Jarvis At the same time attacked & Struck this Deponant with a Club Upon Which Affray Ensued, And M^r Bird, this Deponant and two of M^r Allens workmen Over powered and Secured the four persons Above mentioned who had assaulted them (The Other Two having retired before the Quarrell began) And Carried them before Samuel Johnson Esq^r (a Magistrate) who that night Comitted them by Mittimus to Trenton Goal, after having Offered to take Security According to Law which they

refused Declaring that the Mob would be their Security; And Accordingly the Above Prisoners together with the Mittimus were About Mid-Night Delivered to a Constable; And this Deponant about Three of the Clock the next Morning being on his way to y^e Constables to Assist in Carrying Down the Prisoners to Trenton Goal over took About twenty Rioters (Usually Called Club Men) with Clubs in their Hands by a Tavern on the Road to the Constables House, But no Discourse passed between them and this Deponant—and when he Came to the Constables he found between Fifteen & Twenty Rioters Gathered there who he believes Came with a Design to rescue the Prisoners had they had not been prevented by this Deponant and Others Threatning to give them Opposition, and, (after some Conversation and the Constable having Ordered the Rioters to Assist him and their refusing so to do) one of them publickly said that they should not keep those prisoners long, And when they were Carrying the Prisoners to Trenton one John Scritchfield over took them and told them (as this Deponant has been Informed by y^e Prisoners themselves to Travell Easy for they would be Overtaken and Rescued at Coats's or kingos (being two Taverns on the Road) and when the Prisoners Came to kingos and perceiving None of their Company was Come According to Promise They said since they were Disappointed in Meeting them there, they were Convinced they *Where* gon About a Worse thing, that Was, the pulling Down and Destroying of the Furnace and Develling House, And the Prisoners afterwards Declared to this Deponant and others that they were Satisfyed they should be Rescued from their Confinement this Week & if it was not Done within that time they should no Expect to be Taken out by the Mob at all And further this Deponant Saith not

JOHN HACKETT

Sworn this fourth Day of January 1749.) Before me

Jn^r Core

CHARLES RUSSELL being Also Sworn As above Declares that he was privy to all the Transactions recited in the (above Affidavit, and Swears that the facts therein Contained are True

CHARLES RUSSELL.

Sworn the Day Above said Before me

Jn^o Cure

The Petition of Robert Hunter Morris, Esq., of New Jersey, Agent for the General Proprietors of the Eastern Division of that Province.

Jan^y 18 1749-50.

To the Right Hon^{ble} the Lords Com^{rs} for Trade & Plantations.

Sheweth

That an humble Petition from the said Proprietors to his Majesty, Complaining of the grievous Ryots & Disorders in that Province, was referred to your Lordships, on the 13th of April 1749. And his Majestys Council in New Jersey have also, represented the said Matters to your Lordships, & his Grace his Maj^{ty} Principal Secretary of State, for sometime past.

Since which Times, altho it has been publicly known, there, that that Affair was under the Consideration of his Majesty & his Ministers, the said Ryots & Rebellious Disorders, very far from ceasing or being discontinued, have encreased, to a great Degree, through the Countenance given by the Assembly to the Persons concerned therein, notwithstanding all the Measures which could be taken by his Majestys Council there, who did Every Thing in their Power, to put

a Stop to the same, & to support his Majestys Authority

That the said Disorders encreasing, in a very alarming & dangerous Manner, the s^d General Proprietors, in August 1749, appointed your Petn^r their Agent, to represent the same to his Majesty & his Ministers; And their Original Powers to Your Petn^r are lodged in your Lordships Office.

That since Your Petn^r left the s^d Province, to witt, about the Middle of November last, The Ryoters have proceeded to a further Degree of Insolence, than ever before, having appeared, then, with Fire Arms, & having actually pulled down the House, & burnt the Stacks of Corn, & other Matters, belonging to a Person who would not submit to become Tenant to them, or to such Person as they directed. As by Affidavits humbly presented herewith

So that, All Authority, Order, Justice & good Government there, are dissolved, & at an End, & the Mob assume the uncontrouled Power of acting at their own Will and Pleasure, to dispose of the Lives or Propertys of his Maj^{ty}s Subjects just as they think fit.

Nor is such licentious Spirit confined to New Jersey, alone, but manifestly shews itself in New York, And the Principle, whereon its founded, of the Right & Interest of the Indian Natives being paramount to his Majestys Right & Title to the Soil of America, is so interesting, that it may appear to Your Lordships to merit a prompt Consideration, while yet it is capable of receiving some Redress, before it shall have, too openly, spread, & extended itself, into other, more populous, Colonys.

Wherefore Your Petn^r most humbly prays your Lordships will take the s^d Matter into your early Consideration, & to advise such Relief as shall be effectual, in the Premises

And Your Petn^r shall ever pray &c.

*Letter from Governor Belcher to the Board of Trade—
transmitting the Collector and Naval Officers
Accounts of Ships Entered and Cleared at the
Ports of Burlington and Perth Amboy.*

[From P. R. O. B. T. New Jersey, Vol. VI, G 61.]

May It please your Lordships,

I have at length, Obtained the Accounts, of the Exports and Imports, of this Province (the port of Salem excepted) and I now transmit them, to your Lordships, with Copies, of the Return made Me, by the Several Officers, to My Orders; your Lordships will on the perusal of these—Accounts, find

That M^r Read, the *Collector* for *Burlington*, goes back, to the Year 1732, and down to 1748

M^r Barbarie, the *Collector*, for *Perth Amboy*, goes back to 1743 and down to 49 .

And M^r Fox, the *Naval Officer*, for *Perth Amboy*, goes back to 1740, and down to 49 (There is no Other Naval Officer in the Province)

I have so often orderd M^r Frasier, the *Collector* for *Port*, of *Salem* (60 miles from hence) to Send his Acc^t and can Obtain No Answer, that I am quite weary, and don't expect, to get his Account; indeed I am told, *Salem* is but a trifling, insignificant Port, of Trade & Navigation

The Accounts I now Send your Lordships, you will find, but imperfect Nor can the Officers, make a rational Guess, at the Value, of the Exports and Imports, The Traders, in their Entries, Never incerting the Value; I am Sorry, the Accounts are So lame; but they are as compleat, as they can be had, from the several Officers, in this Province;—

I have the honour, to be, with great Respect

My Lords Your Lordships

Most Obedient and Most Humble Serv^t

Burlington (N J) January 20: 1749-50 J BELCHER

Proclamation, upon Occasion of the two late Riots in the Province of New Jersey. Received with Governor Belcher's Letter, dated the 26th of March, 1750.

(From P. R. O. B. T. New Jersey, Vol. VI. G 63.)

Royal
Arms.

BY HIS EXCELLENCY

JONATHAN BELCHER, Esq;

Captain General and Governor in Chief, in and over the Province of New Jersey, and Territories thereon depending in America, Chancellor and Vice Admiral in the Same, &c.

A

PROCLAMATION

WHEREAS it appears to me by several Depositions I have received, that two dangerous and violent Riots have been lately committed in this Province, the one in the County of Essex, and the other in the County of Hunterdon, and many threatening Speeches and Declarations have been made by the Persons concerned in the same.

THESE are in His Majesty's Name, to command all Officers, Civil and Military, to be very Vigilant in apprehending any Persons who have been concerned in the Said Riots: And that the Sheriffs of the several Counties, or other civil Officers, or any Colonel or other Officer of the Militia in this Province, do immediately on Notice of any Riot or Violence intended to any of His Majesty's Subjects, or their Estates, raise so many Men as shall be necessary to oppose and

obstruct the Execution of such Designs; and do apprehend the Persons concerned and convey them to the Goal of the respective Counties where such unwarranted Proceedings shall be done or attempted, in order to their being brought to Justice. And all Officers, Civil and Military, are required to exert themselves Vigorously on these and all Occasions of the like Nature.

Given under my Hand and Seal at Arms at Burlington, this Twenty-sixth Day of January, in the Twenty-third Year of His Majesty's Reign.

J. BELCHER.

By His Excellency's Command, Charles Read, Secr.

GOD SAVE THE KING.

Report to the Lords Commissioners of His Majesty's Treasury, upon the Account of Expences incurred in the Northern Colonies, on the intended Expedition against Canada. February 28, 1749-50.

[P. R. O. B. T. Plantations General, No. 37, Ent. Book H, p. 1.]

To the Right Hon^{ble} the Lords Commissioners
of His Maj^{ty}'s Treasury.

My Lords,

Pursuant to a Letter from M^r West, Your Lordship's Secretary, dated the 16th of February last. We have taken into Our Consideration the several Papers which have been transmitted to Us by Your Lordships Directions, relating to the Demands which have been made for Expences which have arisen in several of the Northern Colonies in America for Services done on the intended Expedition against Canada; together with such other Papers relating to this Affair as have been

received by Us from His Majesty's Secretaries of State or other Officers of the Crown, or have been laid before Us by the Agents of the said Colonies.

We have likewise been attended by the Agents for the several Colonies respectively, and have fully heard what they had to offer upon this Occasion; whereof notice will be taken under the Head of each respective Province or Colony.

The Colonies concerned in this Expedition, and wherein any Expences have been incurred on Account thereof, are the four Provinces of New England, viz^t the Massachusetts's Bay, New Hampshire, Connecticut and Rhode Island; together with the Provinces of New York, New Jersey, Maryland, Pennsylvania and Virginia. But before We proceed to examine into the Accounts of each respective Colony, it may not be improper to report to Your Lordships the Orders which appear to Us to have been given respecting this Expedition, as well with regard to the raising and levying the Forces in each Colony as to the Manner in which they were to be disbanded, and the Accounts of the Charge and Expence made up when the said Expedition was laid aside.

In pursuing this Method the following Questions, necessarily leading to the Adjustment of the Demands made on account of this Expedition, will be more clearly understood.

1st What Part of the Charge of this Expedition the Crown took upon itself, and what Part was required from the Colonies ?

2^d Whether the Time and Manner of Dismissing the Troops raised for this Service doe properly correspond with the Orders sent from hence for that Purpose ? And

3^d Whether in the making up the Muster Rolls and other Accounts the proper Savings have been made agreeable to the Methods prescribed ?

For carrying on this Expedition His Majesty's Commands were signified to the respective Governors of the several Colonies concerned in it by Letters from the Duke of Newcastle, dated the 9th of April 1746, that they should raise as many Men as the Shortness of the time would allow, and appoint such Officers as they should think proper to command them, who were to enter into Pay from the time of their engaging in His Majesty's Service, and the Soldiers from the day of their Inlistment: The Troops so raised to be formed into Companies of 100 Men each. As to the Articles of Arms and Cloathing for the Soldiers, it was recommended to them to take care that a proper Provision was made of them, for which a reasonable Allowance was to be made by General Saint Clair; but with respect to the Provisions for their Subsistence, they were ordered to recommend it to the Councils and Assemblies of their respective Provinces, to take care that a proper Quantity was provided: And as to the four New England Colonies, viz^t Massachusetts Bay, Connecticut, Rhode Island and New Hampshire, whose Troops were designed, according to the Plan of the Expedition, to rendezvous at Louisbourg, and from thence to proceed up the River Saint Laurence to Quebec: Their respective Governors were directed to recommend to their Councils and Assemblies, to provide a sufficient Number of Transports to carry the Troops to Louisbourg, and from thence up the River Saint Laurence: Likewise to provide as many armed Vessels as could be got to serve in the Expedition. And M^r Shirley was also directed to recommend to the Assembly of his Province, to procure Whale-Boats and other small Craft to go ahead of the Fleet in the River Saint Laurence:

From hence it evidently appears, that the Article of Arms and Cloathing for the Soldiers was to be furnished at the Expence of the Crown, and the Pro-

visions as well as the Transports and armed Vessels for the Troops of the four New England Colonies at the Charge of the said Colonies: and that the Orders were so understood by the Colonies, will evidently appear from their immediate Compliance therewith: The four Colonies of Virginia, Maryland, Pennsylvania and New Jersey, whose Troops with those of the Province of New York, were to rendezvous at Albany, and to enter Canada by Land, having, as M^r Shirley has represented to Us, furnished their Levies, with what they computed a sufficient Quantity of Provisions for the Expedition, and the Province of New York, and the four New England Governments doing the same for their respective Troops, and the New England Governors procuring Transports to carry their Troops to Louisbourg, and armed Vessels to serve in the Expedition, all at the Expence of their several Colonies.

On the 30th of May 1747, His Majesty's Commands were by a Letter from the Duke of Newcastle, signified to M^r Shirley the Governor of the Massachusetts Bay, that he should appoint a Meeting with M^r Knowles at such Place as should be agreed upon, and consider with him the State of Nova Scotia and Louisbourg, and take the proper Measures for the Defence of those Places: They were likewise to consider what Number of Americans would be necessary to be retained for this Service. And as to the Americans in General, except only such as might be wanted for the aforementioned Purpose, they were directed to thank them in such manner as they should think proper, and immediately discharge them all upon the best and cheapest Foot they could: The manner of discharging them, the Satisfaction for their time, &c. being left to M^r Shirley and Commodore Knowles, recommending to them however to do it as cheap as possible. And tho' great Sums had been already drawn for upon Your Lordships, and tho' it appears from the said Letter that Your Lordships repre-

sented the drawing Bills in that manner to be very irregular, yet lest the Credit of the respective Governors concerned might suffer by the Bills being protested, it was signified to M^r Shirley, that your Lordships had directed all Bills to that time to be accepted and paid; but he was directed to take care that no further Draughts were made in that manner, and to take care that the Money paid here to answer those Bills should be accounted for upon the Discharge of the Troops: And as the American Troops had done little or no Service, His Grace the Duke of Newcastle took notice to M^r Shirley in his said Letter, that he hoped they would not expect to be paid in the manner they would have been had they actually been employed on Service; and that it seemed highly reasonable, that such of their Troops as remained in the Provinces where they were inlisted, should be contented with less Pay than such of them as had marched into other Provinces. We must however observe to Your Lordships, that M^r Shirley and M^r Knowles in a joint Letter to the Duke of Newcastle, dated the 28th of November 1747, represented, that Governor Clinton had, before His Majesty's Commands were signified upon this Point, paid off the private men raised within his own Government, and those of Pennsylvania Maryland and Virginia to the 24th of June 1747, at the Rate of 4s. Sterling per Day over and above the Provisions, and advanced two Months Pay to the Officers, after the Rate of the Pay allowed to those of His Majesty's Troops upon the British Establishment; and that there was a general Expectation from the beginning of the Expedition, among the Soldiers, Officers and Governors, that the American Troops would be paid after those Rates, which they urged to be agreeable to the Terms expressed in his Grace's circular Letter of the 9th of April 1746, for raising the Men in the several Governments and the Enlistments founded upon 'em. That however, as M^r

Shirley had paid off the private Men raised within his own Government, in such manner as to leave room for making a Stoppage out of the ⁶s. Sterling per day, for the 8 Months Provisions which he had found them at the Expence of the Province, Endeavours had been used to make this Stoppage out of the Pay of all the Troops raised within the four Colonies of New England, except of those employed in the hard and hazardous Duty at Menis for the Protection of Nova Scotia as will be hereafter mentioned: But that the Discontent of the New England Officers and Soldiers at the proposed Stoppage rising to a great Height and being likely to be aggravated, upon their being apprised of the New York and other Southern Regiments being paid off at a higher Rate; and it also appearing that the Men in General would be brought into Debt to their Captain if the 4^s per Day in Dispute was stopped, they found it impracticable to insist upon this Point, without inflaming the New England Soldiers, and that it must disgust the People, and thereby greatly prejudice His Majesty's Service in case of any future Emergency: And that they thereupon determined it to be most adviseable to settle their Pay at the same Rate with that of the Southern Regiments paid off by M^r Clinton, which they observed to His Grace it was impracticable for them to alter.

All which will more fully appear to Your Lordships from an Extract of the said Joint Letter and Papers therein referred to, hereunto annexed.

In answer to the before-mentioned Letter, M^r Shirley received a Letter from His Grace the Duke of Bedford, dated the 10th of May 1748, informing him that the said joint Letter had been laid before His Majesty, and that His Majesty was pleased to acquiesce in the Payment of the Men at 6^s per Day Sterling, for the Reason assigned by M^r Shirley and M^r Knowles, an Extract of which said Letter is hereunto annexed.

M^r Shirley was further directed, by the aforementioned Letter from the Duke of Newcastle, dated the 30th of May 1747, to procure an exact Account of the whole Expence to be laid before Parliament, to the end that Provision might be made for the Payment; and when the same should be fully adjusted and liquidated, to transmit it with the proper Vouchers: And in the mean time, in order to prevent any Complaint amongst the Men for want of immediate Pay, he was to recommend it to the Governors of the Provinces where Levies were made, to procure Credit from the respective Assemblies for that Purpose.

In Consequence of this Letter all the Troops raised for this Expedition, except Six Companies which M^r Shirley has represented to Us were retained for the Assistance of Nova Scotia, were directed to be discharged by Governor Shirley and Governor Knowles on the 31st of October following, as will appear to Your Lordships from a Copy of their Dismission hereunto annexed: But previous thereto, Extracts of the aforementioned Letter from the Duke of Newcastle, and also a Circular Letter signed by Governor Shirley and Governor Knowles, dated the 10th of October 1747, were sent to the Governors of the several Colonies concerned in the Expedition, directing them to transmit to them as soon as possible Muster Rolls or Lists of the several Officers and Soldiers raised in each Government, distinguishing the Companies into which they were formed, with the respective Times of every Officers engaging in His Majesty's Service, and Days on which the Soldiers were enlisted into it; as also an Account of the Deaths of the Officers and Men which had died since they entered into the Service, with the respective Times when they happened, as also of the Dismissions and Desertions of any of the Soldiers and Times of their being discharged or deserting; together with an Account of the Furloughs which had been granted

from time to time to the Soldiers or any of them, and for what Time; as also upon what Command or Duty the Officers and Men had been respectively employed since the time of their entering into the Service, together with a Muster Roll or List of the Officers and effective private Soldiers then remaining in the Service: All which Rolls, Lists and Accounts were to be certified by the proper Officers under their Hands, upon Oath taken before each Governor and attested by himself. They were also directed to transmit an Account of the Charges of the Cloathing, Arms and Accoutrements of the Soldiers, and of all other Expences which had been incurred on Account of the Expedition and were not to be defrayed by each Colony, from the time of their being levied to the time of each Governors attesting the said Accounts, together with the Vouchers thereof, all duly certified upon Oath by the proper Parties before each Governor: It was likewise observed to them, that the Arms and Accoutrements were to be returned, or if lost the Money stopped out of the Men's Pay.

In Addition to these Orders and Directions M^r Shirley also sent the following Additional Instructions to the several Governors for regulating the Pay of the Officers and Soldiers, viz'

Twelve Pence in the Pound to be deducted out of the Pay of both Officers and Men.

One Day's Pay per Ann. to be deducted out of the Pay of the Men for Chelsea Hospital.

The Value of the Arms to be stopped out of the Pay of such Soldiers as did not return their Arms, except in Cases where it appeared they were lost thro' inevitable Misfortune.

The Remainder of Pay for Deserters, after Payment to their respective Captains of what was due to them for Money or necessary Supplies of any kind advanced to such Soldiers in the time of Service and on Account of it, to be made a Saving to the Crown.

Six Pence per Month for each Serjeant, four Pence for each Corporal and Drummer, and three Pence per Month for each private Man, to be stopped for Medicine Money, two Pence in the Pound to be stopped out of the Pay of the Men for Agency.

The Sum arising by the three first Deductions was to be deducted out of the Sum Total of each Muster Roll and not drawn for upon the Paymaster General.

No more to be drawn for upon the Paymaster General for Deserter's Pay than what was due to the respective Captains for Supplies advanced as aforesaid.

The Stoppages for Medicine Money, and Agency for the Payment of the Men, to be drawn for upon the Paymaster General.

How far these Instructions and Regulations have been observed by the respective Colonies in Discharging and Paying off their respective Troops, and in making up their Accounts, will appear in the Examination of the Demands of each Colony.

We must further acquaint your Lordships, that in the above-mentioned Circular Letter, the several Governors were directed to recommend it to their Assemblies respectively, to furnish such Sums of Money or Credit as might be wanted to pay off the Soldiers; but it appears from the Extracts of two Letters from M^r Shirley to the Duke of Newcastle, one dated the 28th of November, the other the 28th of December 1747, as well as from a Message from M^r Shirley to the Assembly of his Province on the 20th of Oct^r and their Answer thereto on the 5th of August 1747, that the Provinces of Massachusetts Bay, New York and Rhode Island excused themselves from doing it; and therefore M^r Shirley represented that there seemed to be but two Methods of Acting, either to give the Men Certificates of what Pay was due to 'em, to entitle them to receive it when the Parliament should have made Provision

for that Purpose, or else to take up Money of the Merchants upon Bills drawn upon the Pay-master General of His Majesty's Forces, payable when the afore-mentioned Provision should be made by Parliament; the former of which he apprehended would be attended with many Inconveniencies, expose the Men to great Impositions, and by no means prevent their Complaints; and therefore he thought the latter most advisable, as liable to the fewest Objections.

And We must observe to your Lordships, 'that as M^r Shirley and M^r Knowles sent Extracts of the Duke of Newcastle's Letter, soon after the Receipt of it, to the Governors of the other Colonies, by which it was evident to them, that the Account of the whole Expence of the Expedition was to be adjusted and liquidated, and laid before Parliament, before Provision was to be made for the Payment of Bills to be drawn on that Account, that should have regulated the Tenor of their Bills: And M^r Shirley has further represented to 'Us, that it was publickly known that M^r Knowles and he were of Opinion, that in case any of the Governors could not pay off the Soldiers raised within their respective Governments by borrowing Credit of their Assemblies, as His Majesty recommended to them, but should be obliged to borrow Money from the Merchants to do it, and draw publick Bills for the Re-payment, they should insist upon drawing their Bills in the same Tenor with that of his, and were refused that at all Events he should not draw Bills of any other Tenor.

[Here follows the Account of the Charges of the Colonies of Massachusetts, &c.]

We shall now proceed to the Accounts of the four other Colonies whose Troops rendezvoused at Albany under the Command of Governor Clinton, & shall first lay before your Lordships the Account of the Charges

which have arisen in His Majesty's Colony of NEW JERSEY on the intended Expedition, a Copy whereof is hereunto annexed, containing the Charge of Cloathing, Arms, Batteaux, Tents, Stores, and other incidental Expences distinguished under each of these Heads, amounting in the whole to £8748.4 Proclamation Money, for which the said *Colony* has drawn a Bill upon your Lordships for £5802.1. Sterling.

The Truth of this Account is sworn to before the Governor of that Province, by Commissioners appointed for purchasing the aforementioned Articles, and that the said Articles were bought at the cheapest Rates.

We must however acquaint your Lordships, that M^r Shirley in his Liquidation of this Account, a Copy of which Liquidation is hereunto annexed, observes, that the Cost of the Arms and Accoutrements, which amounts in the said Account to £2310.1.7 Proclamation Money, is after the Rate of about £4.7 Proclamation Money per Man; which, when reduced into New-England Currency of the old Tenor, is more than double the Cost of the Arms and Accoutrements provided for the Troops raised in the Province of the Massachusetts Bay: But as the aforementioned Commissioners had attested, upon Oath, that they were bought at the cheapest Rates, and as M^r Belcher had also certified that all the proper Vouchers were exhibited to him, M^r Shirley has not thought proper to make any Deductions.

We shall however, for your Lordship's Consideration and Judgement reduce this Article to the same Standard with that of the Province of the Massachusetts Bay, no Reason appearing to Us for such Difference.

The Amount of the Charge for Arms and Accoutrements in this Account is £2310.1.7 Proclamation Money of that Province, which is, in New England Currency of the old Tenor at the Rate of five for one,

£11550.7.11 said Tenor; which being computed according to the Number of Men raised in this Province, being five Companies of an hundred Men each, is £23.2. old Tenor per Man, being £11.17.6 more than the Charge for the like article in the Province of the Massachusetts Bay, and makes in the whole an Overcharge of £5937.10. old Tenor or £1187.10 Proclamation Money.

With regard to the Cloathing M^r Shirley observes, in his aforementioned Liquidation, that the Price thereof as charged in the Account, amounting to £444.3.6½ Proclamation Money, is after the Rate of £9.16. Proclamation Money per Man, which is, when reduced into New England Currency of the old Tenor, 40 per Cent more than the Cost of the Cloathing allowed to the Massachusetts Troops: This, he observes, proceeds partly from the Charge of a Watch-coat and Blanket for each Soldier; neither of which Articles are charged for the Massachusetts Soldiers, nor indeed for those of the other three Colonies of New England, the Watch-coat not being allowed to the Soldiers, and the Blankets allowed as part of the Bounty given them by the Colonies. M^r Shirley further observes, that these two Articles seem, by the Proclamation issued by the late President Hamilton the Commander in Chief of the Province for the Encouragement of Soldiers to enlist, a Copy of which is hereunto annexed, to be provided in the last Paragraph but one as part of the Province Bounty, viz^t 6^s Proclamation per Man over and above the King's Pay, and a Watch-Coat and Blanket for each Man, which is known to be over and above the Cloathing allowed by the King; and M^r Shirley takes notice that there is this further Circumstance, that this was done in pursuance of the Votes and Resolutions of the General Assembly, and seems plainly intended by them to be part of the Province Bounty.

The Amount of this Article is £444. 3. 6½ Procla-

mation Money of that Province, which is equal to £24,220. 17. 9½ New England Currency of the Old Tenor; which being computed according to the Number of Men raised, reckoning them at 500, is £48. 8. 10 per Man, being £20. 11. 9 per Man old Tenor more than the Charge for the like Article in the Province of the Massachusetts Bay, and makes in the whole an Overcharge of £10293. 15. Old Tenor or £2058. 15. *Proclamation Money.*

If however your Lordships should allow 5 per Cent upon the Cost of Arms and Cloathing, for the Charge of Freight from Boston where they might have been bought, which is the highest Computation that can be made, it will amount to £195. 8. said Currency.

With respect to the Charge in this Account of £580. 17. 3½ for Batteaux to transport the Men from the Carrying Place across the Lake Champlain to Montreal, We must acquaint Your Lordships that M^r Shirley observes, that it is clear from an Act passed in this Province in 1748, for making current the Sum of £100,000 in Bills of Credit for the Service of this Expedition, a Copy whereof under the Seal of the Province is hereunto annexed, that His Majesty was to be made debtor for the Articles of Arms and Cloathing only, and therefore that the aforementioned Sum of £587. 17. 3½ ought not to be allowed, and especially as it seems to be His Majesty's Expectation, by His recommending it to those Governments whose Troops were to be transported by Sea to Quebec to provide Transports at their own Expence, that the Governments whose Troops were destined to enter Canada by Land, should provide the necessary Batteaux for transporting them down Rivers and across Lakes which they were to pass.

As to the Article of £258. 10. 3 said Currency, for Tents, M^r Shirley is of Opinion it cannot come within the Cloathing for the Troops; which together with the

Arms are the only two Articles which, by the express Terms of the aforementioned Act, his Majesty is made debtor for.

We must acquaint your Lordships, that all the aforesaid Particulars were provided, by the Commissioners appointed by the aforementioned Act for purchasing the Arms and Cloathing, in Consequence of Orders given them by M^r President Hamilton, and were also delivered to the Officers of each of the five Companies respectively, as will more fully appear from the said Orders and the Receipts of said Officers hereunto annexed: But it does not appear to Us that the Arms have been returned for His Majesty's Use, pursuant to the Regulations prescribed by M^r Shirley.

M^r Shirley is also of Opinion that the following Sum, included in the Incidental Charges, should be disallowed, viz^t £96. 5. paid to Captain Hart,

On this Article M^r Shirley observes, that it appears plainly groundless. But as the Reason of this Charge does not appear upon the Face of the Account itself, it will be proper to observe to your Lordships, that the Company raised by the said Captain Hart having been brought by him to Perth Amboy in the said Province, the Council were of Opinion it should be recommended to Governor Clinton to provide for it upon the New York Establishment; and accordingly they made immediate Application to M^r Clinton for that purpose, but until they should receive an Answer, they were of Opinion that the said Companies should be subsisted at nine Pence per Day per Man, and also to have £10, to induce them to continue together, out of the Money issued for Arms and Cloaths; and accordingly the Commissioners were directed to pay it, as will appear to your Lordships from N^o 2: But We must submit to your Lordships how far this is a proper Charge. We must also acquaint your Lordships, that the several Articles under the Head of Stores, amounting to £49.

10. 7 said Currency do not appear to Us to have been made a Charge or allowed of in any other of the Colonies, and therefore We see no Reason why they should not be deducted from this; as also the Sum of £87. 11. 11½ said Currency, charged under the Head of Incidental Charges for Freight of Goods, Arms, &c. and Store-houses Hire. M^r Shirley further observes, in his aforementioned Observations, that the Article of £71. 18. 4. for printing the Bills of Credit, and £53 paid to the Signers and Press Inspectors, being for Charges of Printing, Signing and Inspecting the Bills of Credit, the Circulation of which the Colony was to have the Benefit of till they were paid off, are without foundation; and We must also acquaint your Lordships that these two Articles are also objected to by M^r Belcher the Governor of the said Province, as will appear to your Lordships from an Extract of his Letter to Us, dated the 5th of Feb^r 1747-8.

M^r Shirley likewise objects to the fourth Article of £60 for the Medicine Chest, which is expressly provided for in the 11th Paragraph of the aforementioned Act at the Colony's Expence, as appears beyond Contradiction by the Title of the Act, and also by the seventh and eighth Paragraphs in it, which declare, that the Expences therein mentioned should be defrayed out of the Interest Money arising from the Loans of the Bills of Credit of the Colony, &c. and is comprised in a distinct Act from that which provides for defraying the Expence of the Cloathing and Arms that was to be reimbursed by His Majesty.

As to the Article of £422. 7. 10 said Currency charged for Commissions, M^r Shirley observes, that tho' it is clear that the Gentlemen who were appointed Commissioners for this Business are well intitled to it by virtue of the Act by which they were appointed, yet it may be well questioned, whether it is properly charged to the Crown by the Government of New Jersey, not

only as a part of those Commissions are charged upon Money disbursed for Articles which should not be placed to the Account of His Majesty, but also Commissions are not allowed even for the Arms and Cloathing of any of the Troops raised within the four Governments of New England, and therefore M' Shirley deducts this Article.

The several aforementioned Articles objected to amount in the whole to £4926. 6. 3 $\frac{1}{4}$ Proclamation Money, and reduces the Balance of this Account to £3822. 1. 0 $\frac{1}{4}$ said Money To which however the Sum of £195. 8. being the Allowance of 5 per Cent for Freight on the Cost of the Arms and Cloathing, being added to the Sum liquidated will be £4017. 9... $\frac{1}{4}$ Proclamation Money.

As to the proper Rate of Exchange for regulating the New Jersey Account, it is observed by M' Shirley, that they made use of three different Currencies in it, the New York Currency valued at 7/4 per oz, the East Jersey Currency at 8/- per oz. and the West Jersey Currency, which they call in their Account Proclamation Money, and is valued at 6/10 per Ounce, all which is reduced into Proclamation Money, in which Currency the Balance of the Account is formed.

That upon Enquiry, he finds the West Jersey Exchange is constantly regulated by that of Philadelphia, which, in the year 1746, was from 180 to 185 for £100 Sterling, in private Bills of Exchange payable in London, as the Exchange of New York Currency was at the same time from 190 to 195 for £100 Sterling in like Bills: And this Calculation nearly agrees with the Rule made use of, in the Account itself, for computing the Difference between the New-York Currency and Proclamation Money, and the East Jersey Currency and Proclamation Money; so that upon the whole it seems to be an equal Exchange, between the Crown and the Province, to settle Proclamation Money at 180

for £100 Sterling; according to which Rate the aforementioned Sum of £4017. 9. 0 $\frac{1}{2}$ Proclamation Money amounts in Sterling to £2231. 18 4 $\frac{1}{2}$. As to the bill drawn upon your Lordships by the said Colony, it does not appear to Us to have been paid.

M^r Shirley further observes, that in settling the Exchange of the Bills drawn by this and the other Provincial Governments, he has governed himself by the Price given for private Bills of Exchange at the time when the Expences for which these Publick Bills were drawn were incurred, without making any Allowance for the Delay of Payment, which he thinks a just Rule between them and the Crown, for all which those Governments do in this case is lending the Crown their Credit, by issuing a Quantity of their Paper Bills, which circulate within their respective Colonies till Payment is made by the Government at Home, and then the Bills of Credit are drawn back into the Treasury, by being exchanged for the Silver remitted them from England, So that the Province or Colony suffers nothing by the Delay of Payment, there being no Tax laid upon the People to discharge the Debt before Payment is made by the Crown; wherefore they have no just Demand for an Allowance in the Price of Exchange on that Account as the Merchant has, who advances his private Cash out of his Stock in Trade and must suffer by the Delay of Payment: For which reason the Merchants ever insist upon an Allowance in the Price of publick Bills of Exchange, even of those for the Payment of which an Establishment is provided by Parliament, and a much larger in Cases where there is no Fund provided.

We must further acquaint your Lordships, that two Memorials, copies whereof are hereunto annexed, have been presented unto Us by M^r Partridge Agent for the said Province, containing his Reply to the Objections made by M^r Shirley to the several Articles in

the Account: But as M^r Shirley's Objections appear to be just and reasonable and founded upon His Majesty's Orders, We see no reason to depart therefrom.

With respect to the Pay of the Troops raised in this Province for the intended Expedition, We must acquaint your Lordships, that they rendezvoused at Albany under the Command of Governor Clinton, and the Charge thereof is included in his Account.

AN ACCOUNT of the Expences which have arisen in the Province of New Jersey on the intended Expedition against Canada liquidated and adjusted.

	Sum charged.	Sum liquidated.
To sundry Disbursements for Arms, Cloathing, Tents, Bateaux, Stores and other contingent Charges for the five Companies of one hundred men each, raised in the said Province for the intended Expedition...	5302. 1.	2221. 18. 4½

[Then follows the Account for Maryland, Pennsylvania, Virginia, together with Merchants' Petition, Col^d Waldo's Memorial, Col^d Dwight's Petition, Capt^d Goldthwaite's Memorial, and Petitions and Memorials referred by the Duke of Bedford.]

We are, my Lords,

Your Lordships most Obedient
and most humble Servants.

Whitehall }
Feb^r 28th 1749-50 }

W. PITT
H. FOX.

DUNK HALIFAX
J. PITT
J. GRENVILLE
DUPPLIN
FRAN: FANE.

Memorial of Robert Hunter Morris, Esq., complaining of the Injustice of the Assembly of New Jersey, in refusing to pay the Arrears of Salary due to the late Governor of the said Province, his Father, and desiring relief therein.

[From P. R. O. B. T. New Jersey, Vol. VI. G 51.]

To The R^t Hon^{ble} The Lords Com^{rs} For Trade
& Plantations

The Memorial of Robert Hunter Morris, Execu-
tor of the Last Will of Lewis Morris, Esq^t,
late Gov^r of New Jersey,

Sheweth

That Your Lordships were pleased, by Your Letter of Nov^r 25. 1748. to recommend, in the strongest Manner, to M^r Belcher, His Majesty's present Governor of New Jersey, to procure Payment to be made, to the Family of the said late Gov^r, of the Salary that was due to him, and in Arrear, at the Time of his Death.

That M^r Belcher did, on the 5th Day of October 1749, by Message, recommend to the House of Assembly, the Payment of the said Arrears, but they, in Answer thereto, refused to make any Provision for that Purpose, and assigned for Reason, sundry Charges against the said late Governor's Conduct in the Administration of the Government, Part of which Conduct had received Your Lordships express Approbation, and the Residue of which Charges, Your Memorialist is fully capable of giving satisfactory and immediate Answers to, should Your Lordships think it necessary.

That the true Causes of the Resentment of the Assembly, towards the late Governor, were, his Refusal

to assent, to a Bill for making 40,000^l Paper Mony, The Stand which he resolutely made, ag^t their Encroachments upon the Prerogative of the Crown, and his constant Endeavours to keep them within the Bounds of their Duty.

That notwithstanding the strong Recommendations of this Matter from Your Lordships, Your Memorialist is sorry to say, that the said Arrears of Salary, are still unpaid.

Your Memorialist therefore, relying upon Your Lordships Justice to the Family of an injured Servant of the Crown, who spent a long Life, and a considerable Fortune, in his Majesty's Service, Humbly prays Your Lordships would afford such Relief in the Premises, as Your Lordships may think adequate.

March 5th 1749[-50]

ROB^t H: MORRIS.

*Additional State of Facts relating to the Riots in New Jersey -received from Mr. Morris March 13th, 1749-50.**

[From P R O. B T. New Jersey, Vol. VI, G 38.]

(N^o 1.) *The Assembly Still refusing to afford aid to the Gov^t the Rioters Continued their unlawful practices &* On the 23^d of May 1749 a Riot was committed in the County of Bergen when the fences of one Corsparus Pryer were pulled up and cut down, soon after which viz in the Month of June 1749 a Scheme was formed By the Traitors Rioters and their friends to have Courts held in the County of Essex for the Tryal of those persons that were accused of Treason or riots

* For previous "State of Facts," see page 207 of this volume.—Ep

well Knowing that Impartial Jurys could not be had in the said County and with intention to have the several (N^o 2. 3.) Criminals Acquitted and to this end, application was made to M^r Alexander one of the Council and M^r Morris Chief Justice and one of the Council to know if they would advise the Issuing a Commission for that purpose, to which it was Answered by M^r Alexander that he thought it dangerous for any Councilor to Advise such a Commission after the resolves of the Council in December 1748 as an impartial Jury could not be got in that County, and if such could be had, and any of Traitors were convicted the rioters would never Suffer a Judgment to be Executed.

(N^o 4.) On the Night of the 15 of July 1749 the rioters Broke open the Goal of the County of Essex and took from thence Aron Ball and Theophilus Burwill who Stood committed for High Treason, and set them at Liberty.

On the first part of August following the rioters having notice that a writ of Possession was to be Executed in the County of Middlesex they Assembled at the place to the Number of about 40 with Simon Wycoff (one indicted of High treason) at their Head and prevented the Sheriff from Executing the writ

Minutes
of Gen
Assembly

On the 23 of September 1749 the Gen^l Assembly met at Perth Amboy, and on the 28, the Gov^r in a Speech to them strongly recommends the putting a Stop to the disturbances, telling them, they had been deaf to all he could say to them on that Head. On the 13 and 17 of October 1749 Sundry Affidavits Examinations and Letters were laid

Minutes
of Council.

before the Council. By which it appears, that the Sherif of the County of Somerset, (N^o 13.) having return'd on the Grand Jury one of those indicted for Treason, He was by the Court dismissed

from the Grand Jury, and order'd to be committed, but the Sheriff and his Officers refused to take him into Custody, but suffer'd him to go away.—This matter was by the Council laid before the Gov^r

(N^o 5, 6, 7, 8, 9.) By the said depositions it further appears that the rioters were so far from having any inclination to return to their duty, that Tho they apply'd to the Justices and free holders chosen for the County of Essex to interceed with the Gov^r for a Commission of Oyer and Terminer yet they refused to Sign a petition promising Submission to the Court. and that about one third of the People of the County of Essex are rioters, and many more favourers of them, that three fifths of the rioters hold their Lands by surveys and Patents under the proprietors, that one other fifth have no Land at all, nor any claim to any, either by Indian Purchase or proprietary title, and that this fifth do the greatest mischief by destroying the timber upon the Lands of others, and get their Living Chiefly by the plunder of other Mens Estates. That of the remaining fifth part two thirds set down on Lands without any title or leave from any Body, and lately soon before, or since the rioting began have acquired Indian Deeds; —and that not above one third part of the said remaining fifth part settled originally on pretence of Indian Deeds.—

(N^o 6, 7) it further appears that theris scarcely a Man in the County of Essex but what is related by Blood or Marriage to some one or other of the rioters.

(N^o 5) Soon after the Meeting of the Assembly on the 25 of Sep^r 1749 the scheme for trying and acquitting the Traitors in the County of Essex, was renew'd and the Assembly took part in the scheme as will appear by what follows

(N^o 5. 10) By the Examinations laid before the Council on the 17 of Oct^r 1749 it appears, that Burrwell, and Ball the two Prisoners mentioned to be res

cued from Essex Goal, were perswaded to return to their confinement and Petition for a tryal, and were told that it was the desire of the Assembly that they should do so, it also appears that a Meeting was had at the House of Joseph Roberts, on the 6 of October when the said Ball and Burrwell, with others of the rioters, and Joseph Camp a Member of the Assembly were Present: That the said Ball and Burrwell, then Sign'd three petitions to the Gov' Council, and Assembly, praying that they might have their tryals.

By the Minutes of Council of the 17 of Oct 1749 it, appears that Joseph Camp a Member of the Assembly Brought a Petition from the said Ball & Burrwell to the Council which he Acknowledged to have received from them they not being in Goal.

On the 10 of Oct 1749 a Petition of Theophilus Burrwell, and Aron Ball was read in the House of Assembly setting forth that they were committed to the Goal of the County of Essex on a Charge of Treason and having layn there near three Months & having no hopes of coming to tryal it Induced them to Escape from their confinement Through the aid of others But being convinced that such Escapes were Illegal and being willing to take their Tryal they had submitted themselves to confinement again, and praying the House to introduce them so far into his Exelencys Favour as for them to have an immediate Tryal.

Upon the second reading of this Petition on the 14 of October the House of Assembly order'd two of their Members, (of which the said Joseph Camp was one) to waite on the Gov' and acquaint him that the House humbly pray'd him to issue a Commission for holding the Court of Oyer & Terminer and general Goal delivery in the County of Essex, for trying the prisoners confined there for High Treason, and other Criminals in the said County.

The Gov' having on the 12 & 14 of October, laid be-

fore the Council a Petition to him from the said Barrwell and Ball of the same purport of that presented to the Assembly, the said Message from the Assembly, and the 40th Article of His Majesty's Instructions, and desired their advice upon the same;

They on the 20 of the same Month deliver'd their advice and opinion in writing sign'd by Six of them in the Substance following.

That having consider'd the several papers referr'd to them by the Gov^r they beg'd leave to lay before him for his consideration the resolves of the Council of the 12 of December

These last which were Communicated to the Assembly and appear in their printed Minutes of the 13 of the Same Month, they also assure the Gov^r that they were far from having any reason to change their opinion Express'd in those resolves.

But many things to confirm them in it, Such as the growth of the number of the rioters, naturally to be expected from the Assiduity of their Heads, and the Encouragement given them by the refusal of the then Assembly to do anything against them, and by the last & present Sessions of Assembly Absolutely refusing and declining to raise any Money for Guarding the Goals, or to bring them to tryal in other Countys where fair and impartial Jurys could be had.

That the Growth of the Rioters was Also Naturally to be Expected from their continuing to plunder other Mens Estate, and the hopes of a Share of the Booty, would Naturally induce all the Vagabonds of that and the Neighbouring Provinces to inlist with them, and sign their Combinations.

The Council further observe that from the Depositions laid before the Council on the 17th it was easy to see, the improbability that two Lawful Jurys could be found in the County of Essex. And upon the whole they humbly advis'd the Gov^r not to grant the Com-

mission requested until His Majestys pleasure was Known.

On the 14 of October 1749 the House of Assembly made a long Address to the Gov' in answer to his Speech of the 28 of Sep' wherein they attempt to Justifie themselves and former Assemblys for not Acting with vigour against the rioters But make no promises of doing anything but perswading the rioters to return to their duty; which they say they have some reason to expect will be Effectuated.

The Council having made some Amendments to the Bill sent up by the House Assembly for the Support of the Government the Assembly on the 18 of October 1749 resolved that the Council had no right to amend any Money Bill whatever and therefore rejected the said Amendments and sent the Council a Message that they Look'd upon the Amending the said Bill to be a Manifest infringement upon the rights and priviledges of the House of Assembly and those they represented & having printed the Amendments in their Votes of the 20 of Oc' they on the same day sent a Message to the Gov' acquainting him that the Council had proceeded in such manner, as to obstruct the passing the Bill for Support of Government which put it out of their power to do it at that time without giving up the Libertys of the people, & therefore desire the Gov' would be pleased to dismiss them; and the Gov' accordingly on the same day prorogued, them to the 30 of Nov' without their having done any one thing or even proposed any thing to put an end to the disorders of the Province.

On the 9 of Nov' last a Number of the rioters came together to the House of Abraham Phillips, & having by threats & abuses driven him and his family from the House, they in the night broke down the door took off part of the roof of the House removed his goods out of doors & burnt some stacks of Grain & flax firing several guns while they were about it.

Deposition of M^r Morris that no Riots were committed on Acc^t of any Action brought by him.

ROBERT HUNTER MORRIS being duly Sworn on the Holy Evangelists on his Oath doth declare that he has been informed and Believes that a Riot was committed in the County of Essex upon an Action Brought by the Dep^t as Devisee in trust of the Estate of Richard Ashfield And the Dep^t Further saith that of all the Other Riots committed in New Jersey within five Years last past He never Heard nor does he believe that any one of them was—Committed on any Action brought by this Dep^t or on any Action brought for or Concerning any Land Estate Claim or property of his in his own right Either alone or as tenant in Common with others, and the Dep^t further saith that He does not remember ever to have brought any Action, for any trespass committed on any Lands belonging to Him in his own Right tho the Rioters have made great wast of the Timber upon his Lands and further saith not

ROB^t H: MORRIS

Westminster to wit Sworn before me this 5th day of March 1749-50

JOHN VINTON

— — —
Preamble to an Ac^t passed in New Jersey for
avoiding Actions of Slander. Nov^r 1747.
Reced from M^r Morris March, 13, 1749-50

At a Sessions of Assembly which begun at Burlington on the 17th of November 1747, The Rioters had full Liberty, and did lay their Grievances and Complaints before the Legislature, and tho the Assembly as appears by their Conduct in that and the next imme-

diate Sessions, were very much attach'd to the Rioters, and very inclinable to favour them; yet *that* Assembly were of opinion that the Rioters had no cause to complain, As appears by the preamble to an Act pass'd in that Session for avoiding Actions of Slander, in the following words.

' *Wherras* within three Years last past many and ' great Riots and disorders have been committed within ' this Colony by Multitudes of People on pretence that ' they labour'd under Grievances and oppressions

' *And Whereas* the Several Branches of the Legisla- ' ture, at their present Session met and Assembled ' together, Heartily disposed to enquire into the said ' Grievances and oppressions, and to give relief therein ' as far as in them lay, upon mature deliberation do ' not find, But that the matters Complain'd of are ' remediable in His Majesty's Courts of Justice of Law ' and Equity, which are open to all, and to which the ' Complainers might have had recourse.

Copy of Chief Justice Morris's Opinion given
in Councill, against passing the Act of
General Pardon 12th of Feb^r 1747 Reced
from M^r Morris March 13 1749[50]

The Act of General Pardon, now under Our Consideration, I think, consists of two Parts; The one is, to pardon all those Persons that have been concerned in, or are guilty of, any of the late Ryots, or Insurrections, in this Province; The other is, to stop & suspend all Process & Proceedings, against those psons that are already indicted for High Treason, or such as may, hereafter, be accused of that Crime, until, and to the Intent, His Majestys Pleasure may be known.

I look upon this to be a Matter of very great Importance, perhaps the greatest that ever yet was under the

Considⁿ of the Council of New Jersey, And, therefore, wish that Things had been so managed, as to have brought this Affair before us earlier in the Sessions, that we might have had the greater Time to weigh, & consider, what was proper to be done; however, I shall deliver my Opinion & Advice, upon the Matter, in as clear a Man^r as the Shortness of the Time, & my Abilitys, will permit.

I am clearly of the Opinion, that, by His Majesty's Comission to his Excell^y, under the Great Seal of Great Britain, his Exc^y, has full Power & Auth^yty to extend his Majestys Mercy, by a General Pardon, to all those that have been concerned in the late Ryots & Insurrections within this Colony; *Provided* the Crimes, of which they stand accused, do not amo^t to High Treason or Murder; These being the only Crimes excepted, in that Clause of the Royal Commⁿ which gives Power to extend his Majestys Mercy.

But I do not think it, by any Means, prudent, or adviseable, in His Excellency, to use the Power, so given, in the Maner proposed by the General Pardon before us, till the Legislature, now sitting, have made Provision, effectually to strengthen the Hands of His Majestys Government, so as to enable them to protect the Persons & Estates of the People of the Province, & to carry into Execution the Laws of the Land; When that is done, in a Manner satisfactory to the Government. Then & not before, I humbly conceive it will be prudent & adviseable, in his Excellency, to grant & extend his Maj^{ty}s Gracious Mercy, to the Persons concerned in the said late Riots, which will then, in my Opinion, tend, very much, to restoring the Peace of the Province As most of the Persons concerned are an ignorant People, encouraged & sett on by some artfull & designing Men.

As to the Second Part of the Act of General Pardon, I must declare it as my Judgem^t & Opinion, That

neither by His Majestys Commission, nor by the Article of the Royal Instructions, now communicated, has his Excellency any Power, or Authority, to suspend the Process, or stop the Proceedings, in Cases of *High Treason*. The Powers of pardoning, given by the Commission, are full, as to all Crimes, but Treason & Murder, wch being expressly reserved & excepted, no Construction, in my Opinion, Can possibly extend the Words so as to give Power to suspend or stop the Proceed^{ts} in those Cases, which will, in Effect, be pardoning; as the Partys are (& 'tis intended shall remain) at full Liberty, & may remove themselves, & their Effects, to another Part of the World, long before his Majestys Pleasure can be known.

As to the Instruction, now communicated, it is certainly a very good one. And, among many others, shews his Majestys Great Care, & paternal Affection, for these his remote Dominions. But, I think, there is nothing, contained in it, that can be construed to give a Power to do what is now proposed.

The material Words are

“And, if any Thing shall happen that may be of
 “Advantage & Security to Our Said Province, which
 “is *not* herein, or by our Commission to you, *provided*
 “for, we do, hereby, allow, unto you, with the Advice
 “& Consent of Our Council, to take Order, for the
 “present, therein &c.

This Instruction seems to me justly calculated to empower the Governor to act for the Advantage & Security of the Province, in extraordinary Cases, wherein the Commⁿ & Instructions are *Silent*; But, in my humble Opinion, was never intended, nor can it be constructed, to extend to things expressly provided for by the Commission, which the Powers of pardoning & relieving are, so far as his Majesty intended they should be used; And as the Power of pardoning Treason, is there, expressly reserved and excepted, I

cannot think the General Words, in the Instruction were intended to give a Power, contradictory to the Commission. And I conceive that, as the Kings Instructions receive their greatest Force, from the Commission, under the great Seal, So, the granting the Suspension proposed, under the Powers given by that Instruction, will be doing an Act, by Vertue of the Royal Commission, which that very Commⁿ *prohibits & excepts, in express Words,*

Having declared my Sentiments, that His Excellency has *no Power*, by his Commission, or Instructions, to grant the Suspension proposed, it will be needless to enter far, into the Legality of tying up the Hands of the Courts of Law, in such Cases; which seems to me to be stopp'g the ordinary Course of the Laws, & exercising, little less than a dispensing Power, not warranted by the Constitution.

How far it will be prudent, & adviseable, in his Excellency, to grant the Suspension proposed, *if he had Power*, is next to be considered, and greatly depends upon the State & Circumstances of the Province, which is very well known, to every one, here present, & therefore need not be mentioned. But certain it is, that Things would never have gone the Lengths they have done, if the Legislature had interposed, when this Rebellion was Young, & before it had come to its Maturity; Nor, need it now continue longer, if they will *exert* themselves in Support of his Maj^{ty}'s Authority & the Laws of the Land.

In my humble Opinion, the Province is not in such Circumstances, as to make it prudent, or adviseable, in the Government, to stretch their Power in Favour of a few People, who have thrown off their Allegiance: There is Power & Strength, enough, in the Province, to put the Laws in Execution, His Excellency, with the Council & Assembly, can, if they will, presently put a Stop to those Disorders; &, were they once in

clined, these daring People would, presently, sneak in to their hiding Places, & not venture to show themselves in Opposition to the Government; But, while we want Inclination. And, while these People know that we do, All the mild Measures proposed will be ineffectual, and only tend to bring the Government into greater Contempt.

Had these daring Disturbers not been countenanced, by some Men of Note, had they not depended upon the Support & Protection of People, much above themselves, they never would have ventured, thus, to have flown in the Face of his Majestys Government, & to have thrown off their Allegiance. Had they laboured under any Injustice or Oppression they have had full Liberty, and have layd their Complaints before the Assembly, too many of whom want not Inclinations in their Favour; And, as they have been fully heard, & no Instance of Oppression or Injustice, made out, even to the Satisfaction of the Assembly it must be presumed their Complaints are only Clamour, designed to draw in weak & unwary People to joyn them, in their unlawfull Practices.

The above, is my Opinion, & Advice, which is humbly submitted to his Excellency.

R. H. MORRIS.

M^r Alexander's Deposition concerning the Ryots.

23^d Octo^{br} 1749. Rec^d from M^r Paris. Jan^{ry}
3^d 1749-50.

JAMES ALEXANDER, Esq^r being duely Sworn, on the Holy Evangelists, on his Oath doth Declare, That, ever Since the fourteenth day of April 1749, when John Smyth made oath of the delivery, to Joseph Day, of the papers, in his Affidavit of that date, mentioned, No application has been made, to this Deponent, by

Francis Spier, or any of the people Settled on the thirteen thousand five hundred acre Tract, at Horseneck, belonging to Robert Hunter Morris Esq^r and this Deponent, nor by any of the Rioters Committee, or any other person, for Entering into proper Securities, as is mentioned in the Said Morris and Alexander's Letter, to Wheeler and others, the Rioters Committee, mentioned in Said Affidavit; Nor hath any Powers, to Act for the Said people, been produced, to this Deponent. And the Deponent further Saith, that a friend of the Deponents, happening to be in the Supream Court at Burlington, in May last, acquainted this Deponent, that a Rule was made, for Assigning an Attorney, and Council, to Francis Spier, in a Cause on the Demise of Morris and this Deponent; But this Deponent never had any notice of that Rule, from Francis Spier, nor any person or persons, whatsoever, on his behalf, before or after the making of it. And This Deponent Says, that no Such Cause was ever Commenced, or in being, as the Said Rule mentioned, That this Deponent Remembers. And further Saith that, tho' the Supream Court Sat, at Perth Amboy, in August last, yet, this Deponent hath not heard of any proceedings, by the Said Francis Spier, or any persons for him, in Consequence of that Rule, made at Burlington, other than the mention made of it, in the Address, of the Assembly of New Jersey, to Governor Belcher, presented on the 14th instant. And this Deponent further Saith, That, Since the Said fourteenth day of April last, he hath not heard, nor does he believe, that any application, whatsoever, hath been made, to the Attorney, or any of the Council, of the Said Morris and of this Deponent, by Francis Spier, or any of the persons aforesaid, or any in their behalf, for the purpose aforesaid. And the Deponent further Saith that, Since the fourteenth of April aforesaid, he hath not heard, nor does he believe, that any application, whatsoever, hath been, to the Council of Proprietors of East Jersey, or

their Attorney, or Council, by the Committee of the Rioters, or any of them, or any in their behalf, for Entering Francis Spier, or any other, Defendant to the Action of Ejectment, mentioned in the letter of the Said Council of proprietors to John Condict and Nathaniel Camp, Committee men, dated the tenth day of April last, delivered to the Said Joseph Day, as by the Affidavit aforesaid of John Smyth appears. And the Deponent further Saith, That, of *all the many Riots*, Committed in New Jersey, within five years last past, he *never*, to his Remembrance, *heard*, nor *does he believe*, That *any one of them* was Committed on *any Action* brought for, or Concerning, any Land, Estate claim or Property of *his alone*, or of *his and any other person* or persons in *Company with him*. And this Deponent further Says that he *does not Remember*, to have *ever heard*, nor does he *Know*, or *believe*, that *any Riot was Committed*, or Attempted to be Committed, upon, for, or Concerning, any Lands that *ever was* this Deponent's Sole Property; and never to his Remembrance *heard*, nor does he *believe*, that any Riot was Committed, within five years last past, upon *any* Lands, where this Deponent was joint Tenant, or Tenant in Common, with other Persons, Except the third memorable Riot, of the late Riots in New Jersey, Committed on the 5th of August 1746, wherein Edward Jeffers, a Tenant, by leave of the General Proprietors of East New Jersey, (of which Proprietors this Deponent is one) was threatened to be Clubbed out of possession, and, by those threats, was obliged to give up half his possession, to the Rioters, & Submt. for Saving bread to himself and family, to Accept of a Lease, from one of those Rioters, for the other half. And this Deponent further Saith that he *does not Remember to have heard*, nor does he *believe*, that *any Actual Attempt* was ever made, to Committ any Riots, or to turn any of the Tenants for Years, or at Will, of

*the Deponent, or of him and others in Company with him out of possession Except the Said Jeffers, as aforesaid, and Except Robert Sherrard, a Tenant for years under Collanell Dunstar and this Deponent; But has heard that there were three Attempts to turn the Said Robert Sherrard out of Possession, and that, at each of which Attempts, there were about one hundred or more Rioters, mett. at, or near, bound Brook, a few miles distant from his Plantation; and that, upon the News, that their Scouts brought, each time, that Collo-nell Dunstar, and a few more, were upon the Planta-tion of Sherrard, ready to receive them, with fire Arms, and to kill as many as they Could of them; they, each of the said three times, dispersed, and did not per-petrate the Riot & forceble Entry and Ejectment upon Sherrard, That they had, from many distant places of the Province, each of those three times, mett. to Com-mitt. And this Deponent further Saith that, of the many Tenants for Years, paying Considerable yearly Rents, on the Lands of this Deponent, and on the Lands of his and other persons, in Company with him, which Tenants for years are *many Scores, if not some hundreds*, in Number, he has not heard, nor does he believe, there is one (Except the Said Jeffers) who, by any threats, or fears, or by any of the Artifices of the Rioters, often used towards them, has been prevailed upon to Join their Combinations, or to yield up their possessions to them, or be unfaithfull to this Deponent, or other their Lessors in Company with him; But, has often heard many of Them declare they were well pro-vided with fire Arms, powder and Shott, and were determined to kill as many as they could, of those who Should attempt to break open their houses, and to turn them out of Possession; And this Deponent verily believes that those preparations, and the fre-quent and Repeated declarations, of those their Inten-tions, has preserved them, from so much as a *Single Attempt* to turn any of them out of possession, except*

the Said Jeffers and Sherrard as aforesaid; while many others had their houses broken open, and were turned out of possession, by the Rioters, and are kept out of Possession, by them, to this day, and many others, by their threats, and Artifices. In order to save their possessions, Entered into the Rioters Combinations. And this Deponent further saith that he verily believes, that the timber, by the Rioters Cutt, destroyed and Carried away, within four years last past, from the Lands which are his Sole Property, and his Share of the Timber Cut, destroyed and Carried away, from Lands which he holds in Company with others, is far upwards of one thousand pounds Sterling. value; Yet, this Deponent, hath during that time, declined giving those Trespassers and destroyers, any opposition, and declined taking out any processes in Law, against them, where he had the least apprehension that there would be a Riot Committed upon the Execution of any of them: Chusing rather to Remain a Sufferer, till the Laws and peace of the Province could be Restored: Than that it Should be in the power of any person, with truth, to Say, that any Sutt of this Deponent's, was the Occasion of a Riot: Tho' this deponent thinks he could not have been Justly Blamed, if he had Issued Such Processes, and if Riots had Ensued, upon the Execution of them. And this Deponent says, he verily believes, that the Same Conduct has been observed, by his Partners, as to all Lands they hold in Company with this Deponent. And this Deponent further Saith that he claims no Lands in New Jersey, but by and under the Grants of New Jersey, from King Charles the Second; That this Deponent is well Acquainted with the Records of East New Jersey, Since the Surrender thereof by the Dutch to King Charles the Second, having Read most of them, Several times over, and does not remember to have mett with any Evidence, that in all that time

any other was adjudged a Lawfull title, in East New Jersey, by any Court of Justice therein, whatsoever; & all other pretences to lands, by the Concessions, made about the time of the Settlement of New Jersey, are declared Absolutely void: That he does not remember to have mett with any Evidence, of any breach of peace, with the Indians of East New Jersey, during all that time; Or that the Legislature of East New Jersey, while a Separate Governm^t, or of New Jersey, before and since, were ever put to any Expense, whatsoever, for preserving peace with the Indians thereof: That this Deponent never, to his Remembrance, mett with any Evidence in the Said Records that any Proprietor had ever maltreated any Indian or disturbed him in his possession of any Lands; but verily believes That the Proprietors of East New Jersey did always pay the Indians to their Satisfaction for any Just claim they had, before they entered on any Claim or Possession they had. And this Deponent further Saith that, before, at, and for many months after, he Joined in the purchase of the thirteen thousand five hundred acre tract, at Horseneck, from the Agents of the New Jersey Society, at London, he never, to his Remembrance, heard, that the people Settled on that Tract, made any pretention to the places they Settled on, by *Vertue of any Indian Deeds*; And verily believes, that *what* Indian Deeds, if any, they have, are *procured, Since, for Triffles*, Contrary to the Acts of Assembly of 1683, which declare the acquiring Such, in the name of any others than the Proprietors, to be Criminal and Seditious, and the procurers to be Enemies to the publick peace, And Contrary to the Act of Assembly of 1703, which declares all Such to be void, and highly penal; And many believed that they had, all of Them, Settled on Those Lands, as many hundreds of other poor people have done, on the Lands of absent persons, to get bread for themselves and families, and in hopes, when the owners come, that they

would Lease, or Sell them, the Lands, so settled upon; Neither hath this Deponent, to his Remembrance, heard, that any of them (before, or at, and for some months after, the time of the Survey of those Lands by Mess^{rs} Morris and Ogden in 1744) did pretend to have otherwise Settled, upon those Lands, Except a few, who had purchased under other Proprietors, whose Titles interfered, by mistake, with the Said Tract; *All of which, Except one*, this Deponent and partners, soon after, *Confirmed in their purchases*, upon agreements with the Representatives of the Vendors; That this Deponent has often Read the Representation of his, and partners proceedings, in that Affair, in the Proprietors first printed publication, from page 7. Col. 1. line 40, to page 10. Column 1. line 27., and verily believes it to be Just. And further this Deponent Saith not.

JA. ALEXANDER.

Sworn [The following interlineations being first made, Viz^t The words (Claim, and, East, out of Possession, or more, claim they had before they entered on any, or possession,) Before Cadwallader Colden Esq^r, one of his Majesty's Council for the Province of New York, The twenty third day of October 1749.

CADWALLADER COLDEN.

The Paper A. No. 11. referred to, in the State of Facts. Received from M^r Paris, October 13th 1749.

The Information of Solomon Boyle of Morris County, Sworn before Robert Hunter Morris Esq^r Chief Justice of the Province of New Jersey.

This Informant sayth he is settled on a Tract of Land upon Passuck River, being Part of a Tract of 2000. Acres Formerly patented to Robert Barclay,

about one Mile from the House of Justice Samuel Cooper, who is also settled on Part of the said 20000. Acres; That about the latter End of October last, being at the House of Samuel Woodruff, Alderman in Elizabeth Town, he was there desired by several Persons, particularly One they called Lawyer Daniel Clark, and One John Osborn, both of Elizabeth Town, to acquaint Daniel Cooper, that in a fortnights Time the Mob intended to pay him a Visit, and that he heard said Clark say, that he would accompany that Mob: which with the frequent Threatnings of the Mob since, to turn said Cooper out of Possession, has occasioned this Informant, as he was settled on the same Right with Cooper, to be almost in continual Fear ever since.

This Informant saith that he lives about three Miles to the Westward of the House in which Joseph Dalrymple lately lived, the said Deponent having executed a Bond, wherein he stood bound for James Barclay, a Person settled on the said Place whereon Dalrymple lately lived; and which Barclay, so being in Possession, and threatned to be sued by the Elizabeth Town People, received a Protection from the Council of Proprietors to defend him, at their Charge, against all such Suits; That he, the said Barclay, should deliver up Possession, of the said Place, to the Heirs of William Dockwra, to whom the said Tract of Land belonged, which James Barclay, afterwards, sold the Improvement of the said Place to this Informant, who settled the said Dalrymple upon it, in Order to fulfill the Agreement, entred into, by the said Barclay, with the Proprietors. This Informant also says, that he came to said Dalrymple's Place, just after the House was broke open, and the said Dalrymple with his Wife and Children, turned out of Doors, on the 5th of April last, by a Number of Persons with Clubs; That he saw several of the Persons concerned in that Riot, carrying the Mans Goods out of the House: some in

particular he remembers to have been present and active therein, to wit, Nathaniel Davis, (who was called their Captain) Abraham Hendricks, Daniel Little of Turkey, Nathaniel Rogers, William Johnston, William Breasted, and James Hampton of Morris Town, which last two were put in Possession of said Place, in Room of Dalrymple; The said James Hampton, at the Time of being put in Possession, being by them called M^r Cross; That upon this Informant's hearing the said Nathaniel Davis called their Captain, by the said Rioters, it put him in Mind of his having heard, on the last training Day, being the 8th Day of April, on Monday, the Day appointed by the Act of Assembly, the Company at Turkey gave out, that they had Liberty to chuse new Officers, and that they had either chose, or was about to chuse, the said Nathaniel Davis for their Captain, and One Badgely Lieutenant, which Information this Informant heard delivered to Caleb Southward, Lieutenant of the Company, of which this Informant is Clerk, and Jacob Carle is Captain, by a Constable of Turkey, whose Name this Informant doth not at present remember, but will take Care to find out: That when the said Dalrymple and his Wife and Child and the Catt were turned and taken out of the House, the said Davis proposed that they might be put in Possession of the Place again, if he would agree to take it under Cross and Breasted, and be ready to go out upon their Summons; To which this Informant answered, that Dalrymple could not take it on them Terms, because, besides the Loss he was already like to sustain, he was bound to him and the Proprietors to keep the Possession for the Heirs of Dockwra, to whom that Land had been layd out near Sixty Years ago; And this Informant also told them, that he was bound to the same Purpose; That then they desired to know where his Bond was, saying, that, if he desired it, they would get it, if they knew

who had it in keeping; To which this Informant answered, he did not know who had it, but that if he did, he should not apply to them to get it. And this Informant further sayth, that he with the said Joseph Dalrymple, on the 2^d Day of this Instant, had Occasion to go to Turkey, where they saw at Abraham Hendricks' House, the said Abraham Hendricks, Daniel Little, and, he thinks, Isaac Hendricks, and some more, that were present at turning Dalrymple out of Possession, And, as this Informant had been told by Daniel Cooper and Moses Ayres, that since their turning Dalrymple out of Possession, they had sayd they were misled, and were sorry for it, he then asked, if it was so: and if Dalrymple should again lawfully be restored to his Place, whether they would disturb him any more? Some sayd they would not, and Others sayd they would not promise, but sayd nearly in these words, "That if the Thing was to do again, and if we "had the same Information which we now have, we "could do it yet." This Informant then said, he thought such Actions of theirs weakned their Claim, and that turning People out of Possession, that had been so long settled, was taking upon them to try the Title. Which they acknowledged, and sayd it was the Town's Land, meaning Elizabeth Town, as he understood, and that they should have it, and that it was Time they should have it, for that, as they had been ruled by an Arbitrary Power, they themselves now ruled by Arbitrary Power, and had put their Hand to that Plow, and would not quit it till they had got Justice to take Place; Why says this Informant, does not Justice take Place? Have there not been several Tryals, and have you not applied to England, and is not the Case now depending at Law, can't you be patient till it's decided, or do you think the King or Court will like you the better for acting as you do, and how will such Proceedings settle Titles? They answered, When

the King shall have Notice that such a Multitude of his Subjects in the Jerseys are turned Mob, and act as they do. He will say, or think, what's the Matter with my Subjects? Surely they are wronged or oppressed, or else they would never rebell against my Laws, sure some grievous Oppression hath caused them to act thus, or else they would never have done it, (or some Words to this Effect) and so, sayd they, he will order us to have our Land. They also sayd, the Land at Turkey, and much further, was theirs, and they would have it as farr as they claimed, and that there would be more such Doings by the Mob, than ever yet had been done in the County, and the Reason why they stop'd proceeding now, was, that it looked barbarous to turn out People so late in the Year, as it was planting Time, and hard to get New Places, they did not design to turn out any this Spring, except One Sher-rard, or some such Name, on M^r Dunstar's Land, as he understood: Him, they sayd, they designed to turn out quickly, but not many more till Fall, but then, they would proceed Faster and farther than ever yet. And this Informant Further sayth, That on the friday following, being last friday, he was told by Jacob Beadle, (who he verily believes is privy to the Proceedings of the Mob, and who this Informant has heard approve of said Proceedings) that the Mob intended to take M^r Dunstar and put him in Goal, or send him to England to answer for what he had sayd. And, upon this Deponent's saying he did not believe that, for that they medled only with poor Folks, that were not able to oppose them, said Beadle answered, that they would not appoint a Day, lest he should hear it, and run away. And this Deponent also says, that the said Beadle lately told him, that he claimed under Elizabeth Town Right One hundred Acres of Land, in Possession of one James M^r Kay, between the first and second Mountain; and it's currently reported that the

Mob are going to turn said M^cKay off, and to support said Beadle's Claim. And this Deponent further sayth, that on the afores^d Training Day, two Days before Dalrymple was entirely turned out, but after the first Riot, which was committed in the Night, at the said Dalrymple's, near the House of Onkie Johnson, this Deponent had Discourse with the aforesaid William Johnson, Nathaniel Rogers, Breasted, and Others being present (gathered in a small Body) and this Deponent sayd that Joseph Dalrymple was like to be a great Sufferer, if they proceeded to turn him intirely out, as they sayd they would, seeing he was bound to keep the Possession from any under the Elizabeth Town Claim, till they got it by Law; Johnson sayd they had got it by Law. This Deponent asked him if he called that Law? Yes, says Johnson, by Club Law, and called their Proceedings a Court of Equity, and asserted that it was preferrable to the Common Law, as it was now made Use of. And this Deponent further sayth, That on Saturday the 2^d Day of May aforesaid, at the House of Abraham Hendricks aforesaid, in Company with the Rioters aforesaid, in Conversation with them, he alledged, that if he had had an Opportunity to inform them the Truth of the Case he believed they would not have done in the Affair of Dalrymple, but he did not then know where to apply; The said Abraham answered, that for the future, the Place of Meeting, on such Occasions, would be at his House, where any might be heard that would. And this Deponent further sayth, that he sayd to the said Abraham, that their Court was different from all other Courts, by proceeding, and giving Judgment, on hearing one Party only; To which the said Abraham replied, that for the future they intended to proceed otherwise, and not to act or proceed till they received the Complaint and Defence of the Parties in Writing. This Deponent further sayth that the Rioters and their

Friends give out, and it's the Common Report, that they are not afraid of any Thing the Government can do to them, for that at least nine tenths of the People of New Jersey are of their Opinion, in great Measure, that wishes them well, and will stand by them; That, they had also many Friends in New York, Long Island, Pennsylvania and New England, who would assist them if applied to. And this Deponent further sayth, That though he has bona Fide purchased where he lives, under the Patent of Rob^t Barclay, which he has heard proved by two Evidences, that sayd upon Oath, that they knew the Place from it's first Settling, and that it was in the Possession of those who held it under Proprietary Rights, for near Forty Years past, and that peaceably till of late: Yet such is the Terror that he lays under upon the aforesaid Information and Threatnings, and seeing such an Example made of Joseph Dalrymple, in turning him and his Family out of Doors in such a Manner, though settled, as he thought, on a good Footing, and by these Rioters claiming on Elizabeth Town Right, which drove the said Deponent that Extremity, that he applyed to a principal Man, who claimed that Right, for the Favour of a Protection, to save him from the Rioters, and obtained One in these Words viz^t

"To whom it may concern, Know ye that whereas
"the Land whereon Solomon Boyle now lives, is sup-
"posed to be a Lott of Land laid out and drawn on
"Robert Bond's Right, whereof one equal half undi-
"vided belongs to me, and dreading the Danger of
"some who may put him and his Family to Hard-
"ships, this is therefore to testify that I allow him to
"live peaceably thereon, for six Months from this 10th
"Day of April 1747."

SOLOMON BOYLE

Sworn the 13th Day of May 1747, before

ROB^t H. MORRIS.

The Paper A. N^o 12. referred to, in the State of Facts. Rec^d from M^r Paris. Octob^r y^e 18th 1849.

The Information of Solomon Boyle, taken before James Alexander Esq^r One of his Majesty's Council for the Province of New Jersey.

This Informant sayeth, That since the Deposition by him made before the Chief Justice on the 13th Day of May last, he has enquired the Name of the Constable mentioned in his Deposition, and finds his Surname to be Cusham, but his Christian Name he has not as yet been able to find out. He further says, that Joseph Dalrymple, having on the 21st of May last, been at Turkey, the said Dalrymple has since acquainted this Informant that which their Justice Benj^s Pettit told said Dalrymple, that he would advise Solomon Boyle, (this Informant) to come the next Day to his said Pettits House, for that the Company (meaning, as he understood it, those commonly called the Mob) and appointed to meet there that Day to choose Officers, and it would be a good Opportunity for said Boyle to lay his Case before them, he this Informant, having, some Time before complained to said Justice Pettit, about the Injustice done, to this Informant, by the Mob, in Respect to the Land lately in Possession of said Dalrymple. And this Deponent upon some further Information, believes they met to appoint the then next Monday for a March upon M^r Dunstar, or some Part of his Estate, for on the Saturday Evening before, he was informed by John Laten and Robert Chambers, That Jacob Beadle had been at his Son in Law's House, one Lynes, between or below the Mountains, and that the said Lynes, being one of the Mob, had been warned to be ready on said Monday, for a March against said Dunstar, and that Daniel Beadle) who is One that appeared

with the Clubmen, at the late Riot committed upon the Possession of the said Dalrymple, with his Club) told said Chambers that Captain Davis would be there, and two hundred Men for his Part, mentioning Nathaniel Davis, men^d in the former Information of this Depo-
nent, and on Tuesday last this Informant was told by Patience, the Wife of Michael Beadle, that She had on said Monday, being last Monday, in her Way to Elizabeth Town, met several of the Mob with their Clubs, who She believed were met for that Purpose, for hap-
pening to call in at the House of M^r Syms, the said Patience there heard it sayd, that the Mob would take M^r Dunstar, and send him to England to have him hanged, To which, Answer was made, by somebody there, that there was Law enough in this Country to hang him. But the said Patience understood they had not performed what they met about, but were disap-
pointed by some Means or other. And this Informant further sayeth, That on friday last, Robert Chambers informed him, that he had been up at the Society, and in Discourse with his Uncle Israel Hickey, Thomas Lydall, and Others of the People there, was told that they had made a firm Agreement to defend all their Farms there, by Mob, and that Maidenhead and Hope-
well and great Numbers of Others, had joined in firm Engagements, to stand by One Another, in opposing Proprietors or any Power that would take their Part, and that to Death, and their Children after them; and that altho' some Missteps were taken, they would stand by it, and reckon'd they stood as firm, as if they had really bought and had ever so good a Right or Title altho' they had no Pretence to any Right, but Possession and Improvem^t, and that they valued and sold their Improvem^t at or near the full Value, to wit £70. £80. or a hundred Pounds Proclamation for Small Farms. And the said Chambers further informed this Depo-
nent, that he heard, that these People were re-

solved should they opposed by Fire Arms, to take up Fire Arms to defend themselves, being resolved to stand by what they had begun & engaged themselves in. And this Informant further sayth, that some time in March last, the said Daniel Beadle, being at work for this Informant, they had much Discourse together, about the many Riots that has been committed, and some others that were to be committed, particularly on the Place in Possession of Jacob Van Deventer, a Tenant to the Executors of John Parker, and one M^c Coy his Neighbor, who it was given out were both to be dispossessed, & their Places delivered to Others; When this Informant asked said Beadle, why they could not be easy? as the New Governor was soon expected, and, as they gave out, he was very much their Friend, and so might expect to have every Thing settled to their Liking, but says this Deponent perhaps they'l not mind him when he comes, if he should be of a different Way of thinking from them? No, reply'd said Beadle, that they won't, nor even the King himself. And he further says, that he discoursing with several of the Mobmen, from Time to Time, has heard them make Use of it as an Argument in Support of their Proceedings, that the King himself was unable to quell Mobs in England, by any other Ways than granting their desires.

And further sayth not.

SOLOMON BOYLE.

Sworn the first Day of June 1747 before me

JA: ALEXANDER.

Copys of Affidavits relating to the Rioters in New Jersey, taken in October and November, 1749, Nos. 1 to 16, referred to in the Additional State of Facts.

(From P. R. O. B. T. New Jersey, Vol. VI, G 12.)

Depⁿ of Corp^sarus Prior.

N^o 1.

Council Chamber October 14th 1749.

Corp^sarus Prior, of full Age being duely Sworn on the Holy Evangelists of Almighty God, Deposeth and Saith that on the 13th of December 1735 a Road was laid Out from the Town of Bergen along the Old Road to a Rose bush Standing on Said Road, four Rods wide, and thence down thro' the Orchard and Meadow of this Deponent to his Mill Ditch One Rods wide, by four of the Commissioners of the County of Bergen; Which Road not being Legally laid out, as this Deponent Conceives, and being very Injurious to him, as well as inconvenient to the Publick; This Deponent made Application to the Commissioners of the highways for the County of Bergen and the County of Essex, to have the Said Road alter'd; Twelve of whom being on the Spott, ten of them agree to alter the Said Road; and did alter it accordingly on the twenty fourth day of March 1748 & As appears by their Return, enter'd on the Records of the County of Bergen, as, Relation being thereunto had, may more fully appear; That after the said Alteration, viz^t on the twenty third day of May last, Ten White Men, Inhabitants, and Some of them freeholders, of the County of Bergen, together with four or five Negroes, Came to the possession of this Deponent, and, in a Riotous manner, did pull up, Tear, and Cutt down the fences of him the Said Deponent: Whereupon this Deponent complained

to the Grand Jury, for the County of Bergen, Mett at the Court house in Hackinsack, at a Court of Quarter Sessions held there on the first Tuesday in this present month of October, and by Sundry Credible Witnesses did prove Said Riot to the Said Grand Jury, four or five of whom acknowledged that the fact was plainly proved; and yett the Said Grand Jury did not find a Bill against the Said Rioters. And further this Depo-
nent Saith not.

CORSPARUS PRYER

Sworn before us

EDW^d ANTILL

THO^s LEONARD

N^o 2.

Copy of a Letter from Alexander to David Ógden of June 23^d 1749 in answer to an Application to him for his advice to the Issuing a Commission for Essex County for Trying the Rioters and Traitors there, mentioned in The Depⁿ of John Johnson.

New York June 23^d 1749.

Sir

Yours of the 22^d by M^r Johnson, with Copy to Chief Justice Morris, I have,— On reading them I mentioned my Sentiments to M^r Johnson, as you desired, which are in Substance, That Considering, the Resolves of the Council of Dec^r 12th last, printed in the Assembly minutes of the 13th of Dec^r and other the Councils' Resolves, printed also in the Assembly minutes of Dec^r 15th & 16th—and That the Council in Dec^r made Representations of the matter to his Majesty and Ministers; and that the whole Council on the 28th of March last unanimously approved that Representation, and wrote again to the Ministry on the Affair of the

Rioters, and that the Governor in his Speeches to the Assembly in feb^r. and March last Said *he* would Represent, if the Assembly came not into effectual measures. Those things Considered, I told M^r Johnson that I thought it as much as my neck was worth to Consent to try any of the Rioters by a Jury of the County of Essex, untill directions Came from his Majesty or Ministers on the Representation sent. What the Chief Justices Sentiments were, I know not, and Recommended to him to go to Morrissania; whether he will go or not, I know not; But think the Council would make a very odd figure if they Consented to such Commission for Tryalls of the Rioters in Essex, when Such Consent was Compared with what's before mentioned.

I told M^r Johnson also, that the fear of their further Rioting, or if even all New Jersey Should Join them Man & Woman, it should not induce me to advise such a thing till directions from Home; for if they should all Join, I doubted Not but that his Majesty could and would Restore his Government and Laws in New Jersey, and make lasting Examples of them who had Rebelled against them and overturned them.

I ask'd M^r Johnson, Suppose an Impartial Jury Could be found in Essex, and found some of them, Accused of high treason, to be Guilty, and that the Judges pronounced the Judgment of High Treason against them: Whether those Judgements could now be Executed in Essex County? He owned he could not say that they could. I told him then it must be betraying and Triffling with Justice, to trye, where the Sentence cannot be Executed. Sundry more things I talked with M^r Johnson; but these, I think, are the Substance.

I am &c

JA: ALEXANDER

To M^r David Ogden at Newark

N° 8

Dep^a of John Johnston

JOHN JOHNSON Senior of Newark aged about forty Nine years being duely Sworn on the holy Evangelists, On his Oath declares that he was the person, desired by the two prisoners, that went over to New York to Speak to Chief Justice Morris, and not finding him there, did Speak to M^r Alexander about Issuing a Commission for trying the s^d two prisoners, who told him his Sentiments, that he could not for his part advise the Granting Such Commission till his Maj^{ty} pleasure was Known, for reasons which he told this Deponent, and which he Reduced to writing in a Letter to David Ogden, which Letter he heard Read, and it Contained the Substance of what was said between M^r Alexander and the Deponent. This Deponent believes that about one third of the County of Essex may be Rioters or favourers of them; Says that if a Jury could be found that Should find any of the persons indicted or Accused of high treason, Guilty that the Rioters would Rescue the person, And not Suffer Execution; believes many of the Rioters hold their Lands by titles under the Proprietors, and never heard of any other Reason why they Joined The Rioters, Than that they thought their Neighbours oppressed by the Proprietors Suites; Believes that a good Number of the Rioters have no title at all to any land; believes Those having no title do much more Damage in destroying peoples timber than the others do, And further Saith not.

JOHN JOHNSON

Sworn the 14th day of Oct^r 1749 Before

JA^s ALEXANDER
RICH^d SALTAR

N^o 4Dep^a of John Style

JOHN STYLE deputy Sheriff and Goaler of the County of Essex being duely Sworn on the holy Evangelist's On his Oath declares that in the night between the 15th and 16th of July last the Goal of the County of Essex was broke open, That the Dep^a heard the noise, and his wife went and opened the door in the walk, and a man Stood near the door, and, as this dep^a's wife told him, the said man Struck a blow at her with a Club, whereon She Shut the door, and came and told this Dep^a that it was to no purpose to go there, that after the Rioters were gone, he went and found that Burwell and Ball were Rescued, and found that the hooks upon which the hinges of the door hung had been drawn out and put in again, and found Manstield Hunt, a prisoner for debt, remaining. And This deponent Says that he has not made a very exact estimate of the Numbers of Rioters in Essex County and their Circumstances, he verily believes about one third part of the Men of the County of Essex have appeared as Rioters, but verily believes not one in five men of the County but what are favourers of them. That verily believes that one half of the Rioters have no Other titles but Patents and Surveys under the proprietors. That about one quarter part have both Proprietary Right and Indian Right. That of the remaining quarter great Numbers have no pretence to any Right either proprietary or Indian, and but very few have Indian Right only. That this dep^a has asked many of the Rioters, who hold under the Proprietors, (& particularly Ball the prisoner now in Goal, who owned that neither he nor any of his family held any lands but under the proprietors;) why they Joined with the Rioters, but never Could learn from any one

that he asked, what reason they had to Join with the Rioters, but that they thought their Neighbours wronged, and they ought to Assist them. This depon^t remembers that one Vincent, a Rioter, upon the like question being put to him, Answered, when you see two Boys a fighting, would not you naturally help the weakest, and gave no other Reason for his joining the Rioters. And this Depon^t verily believes that two Juries are not to be found in The County of Essex but what are either Rioters or persons related to Them by Blood or Marriage, and further this deponent Saith not.

J STYLE

Sworn the fourteenth day of October 1749 before

JA: ALEXANDER

RICH^d SALTAR

AND^m JOHNSTON

N^o 5

Exam. of Theophilus Burwell

The Examination of THEOPHILUS BURWELL taken at Newark in the County of Essex the 11th day of Oct^r An Dom 1749 before Robert Hunter Morris Esq^r chief Justice of the Province of New Jersey, which Examiner Saith that he being confin'd in The County Goal for the County of Essex on a Charge of treason was told on the fifteenth day of July last, while in Goal, that he this Exam^t and one Aaron Ball Committed also to Said Goal for said Crime Should not lie long in Goal, which s^d Exam^t believes was told him by one Ezekiel Johnson and that this Examinant understood by s^d Expression that the Goal was to be broken open, and this Exam^t and s^d Ball to be taken out, because it was said that they were not to have their trayalls untill his Maj^{ty} pleasure should be known. That on s^d 15th day of July at night a number of persons unknown to s^d

Exam^t came to said Goal and broke the Same open, and two of the Company pulled s^d Exam^t out of s^d Goal, s^d exam^t Remembers to have seen six of those who came to break open s^d Goal, but were so disguised by blacking their faces, having old Cloaths, and Straw on their heads, that this Examin^t could not then know any of s^d persons nor has he since discovered who any of said persous were; that on or about the 12th day of July last the Justices and Freeholders for the County of Essex mett at Newark at the Request of s^d Exam^t and of s^d Ball to Petition his Exc^t. the Gov^t of this Province to Grant a Comission for their tryalls, and being informed and believes that when s^d Justices and freeholders were mett as afors^d they refused offering and presenting a petition to the Gov^t for Granting a Commission as afores^d unless the generality of the Mob would Signify under their hands their willingness of Submitting to the King's Authority, and for That purpose drew a petition to the Gov^t for the Mob to Sign, which this Exam^t and said Ball Signed, and that he this Examinant was informed & believes that Thuel Pierson, John Vincent, and Josiah Landsley Carried s^d Petition to Severall of the Mob to Sign, Spending two days for that purpose, but could not prevail on any one to Sign Said Petition excepting this Exam^t and s^d Ball; That this Exam^t also was informed that the s^d Justices & freeholders were to meet again one week after that time, in Case the Mob would Sign s^d Petition, that the Goal being broke open before the expiration of said week and s^d Exam^t and s^d Ball being freed from Confinem^t and the Mob not Signing said Declaration of being willing to Submitt to the King's Authority This Exam^t has been inform'd, and believes was the Reason of s^d Justices & freeholders not meeting again as was by them appointed; That this Exam^t was Sent for at a meeting of the Committee where was present John Conduct, Joseph Day, Nathaniel Wheeler, Stephen

Morris, Thomas Williams, Samuel Harrison and Joseph Roberts, when said Committee tried to perswade s^t Exam^t to return again to Goal and Submitt to be Confined, and to petition for Tryall, saying that he would without doubt soon obtain his Tryall; and that the next day, being the sixth day of instant July he was again perswaded to Return to Goal and petition for his Tryall, by Joseph Pierson and Thuel Pierson, who told him that it was the desire of the Assembly, that he Should do it, which this Examinant accordingly did, and further Saith not.

Taken this 11th day of Oct^r

An Dom 1749 (the same being
first read in The presence of
the Examinant before Sign-
ing) Before

The mark of
Theophilus X Burwell

Rob^t H: MORRIS,

Present

DAVID OGDEN

N^o 6.

Dep^a of Daniel Pierson

DANIEL PIERSON Esq^a one of his Majesties Justices of the peace for the County of Essex, being duely Sworn on the holy Evangelists, On his Oath declares That about the tenth of July last a Number of the Justices and freeholders of Essex County mett at Newark upon a Notice to meet to Consider whether it was proper to petition for a Special Court of Goal Delivery, as two men were in Goal for high treason, who being mett Considered that if The Rioters would in General Consent to Submitt to the Court, that it then might be proper, but to petition for a Court to Try only two, when Hundreds of others are Guilty, and might from time to time be taken and Committed,

would be an endless charge and trouble, & Therefore agreed to draw a petition, for the Rioters Promising Submission to the Jurisdiction of the Court and to take their Tryalls; which petition was accordingly drawn and given to some of the Rioters to Carry about to be Signed, upon promise from the Justices and freeholders to meet again if the petition was Signed by a large Number. But this Deponent has heard that no more than the two prisoners Burwell and Ball did Sign it, wherefore no meeting was afterwards had of the Justices and Freeholders for the purpose Afores^d as this Dep^t believes. And this Dep^t further says that in the Night of the Saturday following the Goal of the County of Essex was broke open and the said prisoners therein, Rescued by persons unknown, as is Said. And the Dep^t further Says that he was one of the Justices who were present and made the Records of the two first Riots at Newark in Sep^r 1745 and Jan^r 1745-6 — That he Conceives himself well acquainted with the numbers of the Rioters in the County of Essex and their Circumstances, from the Observations he has had opportunitys for four years past to make of them. And from the best Judgem^t this dep^t can make, he believes that to divide the whole Number of the Rioters in the County of Essex into five parts, there are three of those five parts who hold their Lands of Patents and Surveys under the Proprietors; That Some of those he has talk'd to, to know Why they Joined with the Rioters, who answered that they Conceived their Neighbours wronged, and would Assist them and see it out, and owned they had no interest in the matter; That one other fifth part of the Rioters, this Deponent verily believes have no pretence whatsoever to any Land either by Indian Purchase or under the proprietors, and it's that fifth part that makes twice as much destruction of the Timber than all the other four fifths put together, and gett their living chiefly by plunder.

ing the Timber of other peoples lands: That of the remaining one fifth of the Rioters he verily believes that two Thirds of That fifth Sat down on Lands without any Title or leave from any body; and lately, soon before, or since Rioting begun, have acquired Indian deeds; and that not above one third part of the Remaining fifth part Sat down originally on pretence of Indian Deeds. And this Deponent Says he verily believes that not one third part of the men of the County of Essex are Rioters, tho' many more he believes wish them well, and verily believes that there are Scarcely a man in the County of Essex but what is Related by Blood or Marriage to Some one or other of the Rioters, unless it be Some Straglers lately come into the County, and who are part of the above two thirds of the Remaining fifth, or of the one fifth who have no pretence to any Lands, And further this Deponent Saith not.

DANIEL PIERSON.

Sworn the 14th day of Oct' 1749 Before

JA: ALEXANDER

RICH^d SALTAR

AND^s JOHNSTON

N^o 7.

Dep^s of John Rolph

JOHN ROLPH Esq^a one of his Majesties Justices of the peace for the County of Essex being duely Sworn on the holy Evangelists on his oath doth declare that sometime near the beginning of July last he had Notice by direction of a Brother of Aaron Ball a prisoner for high treason in The Goal of the County of Essex at Newark, to meet the Justices and freeholders in order to Consider whether to petition his Exc^e for a Court of Oyer and Terminer and General Goal delivery

for the County of Essex, and this Deponent accordingly mett, when were present Elphalet Johnson, Daniel Pierson, John Ross and this Deponent Justices of the Said County, and Elijah Davis and John Chandler freeholders, it was objected by some that to petition for a Court for those two only, when so many others were accused and hable to be taken from time to time, would be an endless Charge and trouble to the County; it was answered by some person, that he believed that the Rioters or a great Number of them would Submitt to their tryalls at the same time; and the Brother of the said Aaron Ball and one Joseph Day, Then Attending, declared it as their opinion that the Generallity or a great Number would Submitt, whereupon it seemed agreed That if the Generallity would Sign a petition to his Excellency promising to Submitt themselves to the Jurisdiction of the Court, that then that would be a good Ground for the Justices and freeholders to petition; and it was proposed That such petition should be drawn, and after some time it was Resolved it should be drawn by this dep^t with the Assistance of Captain Jonathan Hampton, and accordingly Cap^t Hampton and this dep^t went into another Room and made a draught of such petition, the purport whereof, to the best of this dep^t memory, was, after the direction to his Exc^y it Sett forth That the subscribers had been accused of Sundry Crimes, some of Assembling themselves together in a Riotous manner, and breaking Goals and rescuing persons therein Committed; others Turning people forcibly out of possession and Sundry other Crimes; praying his Excellency to Grant such Commission as before for their Tryals and promising Submission to the Jurisdiction of that Court.

That the draught was brought in and approved of, and given he believes, to said Brother of Ball to Carry about to gett it Signed by the Rioters; and it was

agreed that when the petition was Signed, that notice of it Should be given to M^r Ross who was to give notice to the other Justices and freeholders to meet at Elisabeth town at such time as he should appoint; This dep^t never had notice to meet afterwards, and heard that the Goal was broken and the said prisoners Rescued; and this dep^t declares he is verily of opinion that its Scarcely possible to find a Man in The County of Essex, Except it be a few persons lately come into It who have hardly any Settlement, but what are Related by blood or Marriage to some one or other of the Rioters. and further this Deponent Saith not.

JOHN ROLPH

Sworn the 16th day of October 1749 before

JA: ALEXANDER

AND^s JOHNSTON

RICH^d SALTAR

N^o 8.

Dep^t of John Chandler and Elijah Davis

JOHN CHANDLER, of Elisabeth Town, aged about forty Nine years, being duely Sworn on the holy Evangelists, On his Oath declares, That he being one of the freeholders Chosen for the County of Essex, Soon after harvest he had notice from a Brother of the prisoner Ball, to meet the Justices and other freeholders at Newark in order to Petition for a Special Court for Tryall of the prisoners; And it was agreed that it would be too great a Charge and Trouble for the County to have a Court for Tryall of those two prisoners only; But if the Rioters would Generally come in and Submitt, That then they would Petition; That the Petition was drawn by order of the Justices and freeholders, and given he believes, to a Brother of one of the prisoners, to gett it Signed by the Rioters, and the

Justices and freeholders promised to meet again on notice that it was Signed by a great Number of the Rioters; Heard it was Signed by the two prisoners Burwell & Ball, but not by any more, and no meeting was afterwards had by the Justices and freeholders; Heard soon after that the Prisoners were out of Goal; does not think that there is a quarter of the people of Essex to be Rioters; believes a great number of the Rioters have no pretence of Title of any Land one way or other, who make Great waste and destruction of Timber. and further Saith not.

JOHN CHANDLER

Sworn the 14th day of Octo^r 1749. Before

JA: ALEXANDER
ANDⁿ JOHNSTON
RICH^d SALTAR

ELIJAH DAVIS of Elisabeth Town, one other of the freeholders Chosen, being duely Sworn, Says he heard the Deposition of John Chandler, Above, read, and says in Substance, as he says, Except about the Titles of the Rioters, which the Depon^t is a Stranger to, and further Saith not.

ELIJAH DAVIS.

Sworn the 14th of October 1749. Before

JA: ALEXANDER
ANDⁿ JOHNSTON
RICH^d SALTAR

N^o 9.

Depⁿ of Eliphalet Johnston

ELIPHALET JOHNSTON Esq^a one of the Judges and Justices of the peace for the County of Essex being duely Sworn on the holy Evangelists On his Oath declares that about the Tenth of July last a Number

of the Justices and freeholders of Essex County mett at Newark at the Request of Theophilus Burwell and Aaron Ball then prisoners Committed for treason in The Goal of said County in order to petition for a Special Court of Goal Delivery, And the s^d Justices & freeholders being mett were informed that a great Number of the Rioters were willing to Surrender and Submitt to their Tryalls, and therefore the said Justices and freeholders agreed That if a large Number of them would Submitt to have their tryalls That then they would petition for such Special Court the said Justices and freeholders also agreed to draw such Petition for the Rioters to Sign, and the same was Then accordingly drawn and given to some of the Rioters to Carry about amongst the Rest to Sign, and the said Justices and freeholders agreed if the Petition was Signed by a large Number, to meet again, but other-ways not; That the Deponent has heard that the Said Petition was Signed by the said Burwell and Ball. But that all others Refused to Sign it, wherefore no further meeting was of the Justices and freeholders on that head to this dep^t knowledge.

And this Deponent further says that a few days after that meeting of the Justices and freeholders, he heard that the Goal of Essex was in the night violently broke open by persons unknown, and the said Burwell and Ball from thence Rescued, and one Mansfield Hunt a prisoner then in the same Goal was a few days afterwards brought before this Deponent and Examined as to the Same as by the Deposition of the said Hunt to which he Refers may appear. and further Saith not.

ELIP^t JOHNSTON.

Sworn the 14th day of October 1749 Before

JA: ALEXANDER,
AND^x JOHNSTON
RICH^d SALTAR.

The Said Eliphalet Johnston further on his Oath

Says that he does not believe one Third of the people of Essex County to be Rioters but that many more have been favourers of them, believes a great Number of the Rioters hold their Lands by Titles under the proprietors, never heard of any reason those had to Join the Rioters, but that they thought their neighbours oppressed by the Suits of the Proprietors. A Considerable Number of The Rioters the Deponent believes had no pretence of title to any Lands, and believes and has heard those Cut and destroy much of Other people's timber; believes most people of the County of Essex are by Blood or Marriage Related to some of them; verily believes that if any of the Rioters were found guilty, that the Rioters would Rescue them before Execution.

ELIP^r JOHNSTON

Sworn the 14th of Oct^r 1749 before

JA: ALEXANDER.

RICH^d SALTAR

N^o 10.

Exam. of Aaron Ball.

The Examination of Aaron Ball, taken at Newark the 11th day of Oct^r An Dom 1749 before Rob^t Hunter Morris Esq^r Chief Justice of the province of New Jersey, which Examinant Saith that he being Confined to the Common Goal for the County of Essex on a Warrant for high treason for Taking out one Amos Roberts from said Goal, was taken out of s^d Goal sometime in July last by a Number of persons unknown to this exam^t who broke open Said Goal and one of said Number came and pulled him out of Goal. That it being in The Night and dark could not then know nor to this hour does know or ever heard who were any of the persons that broke open said Goal and took him from

thence, That this exam' on the sixth day of Oct' inst: with Theophilus Burwell Signed three Several petitions to the Gov' Council and Assembly praying that they might have their Tryalls for the Crimes They were Charged with, that s^d Petitions were Signed at the house of Joseph Roberts in Newark and ab' 3 miles from the Goal of s^d County, and that Joseph Camp, Joseph Day, Joseph Roberts and Eleazer Lampson were present at or about the time of Signing of said Petitions, That on the 10th instant one Nath^l Wheeler Jun^r brought to this Exam' and to said Theophilus Burwell three other petitions to the Gov^r Council & Gen^l Assembly of this Province of New Jersey, like the other petitions by them before Signed, and was told that this Exam' and s^d Burwell Signing the other Petitions when out of Goal was not Sufficient, must therefore sign these then Brought to them while in Goal, which last Petitions s^d Exam' & s^d Burwell then Signed and Delivered them to said Nathaniel Wheeler. and further saith not

AARON BALL.

Taken this 11th day of Oct^r An Dom: 1749 (being Read in the presence of the Examinant before Signing) Before

ROB^t H: MORRIS,

Present David Ogden

N^o 11.

Depⁿ of Abraham Phillips.

ABRAHAM PHILLIPS of Horseneck in the County of Essex and province of New Jersey being duely Sworn made oath as follows, That on the ninth of this Instant November, Edward Archer, Hendrick Ryker, John Massacher, Aaron Clauson, Hendrick Ryker Jun^r and Isaac Ryker Came together to this Deponent's house

and Said that they wanted possession of his house and would have it; and pull'd down his Stack yard fence and hog pen fence, and then closed round him, and gave him threatening words and Spit in his face; upon which this Deponent thinking himself in danger, one of them having a Gun, he told his Aged mother, who was then in his house, that they had better go away; he locked the door of his house, and left it and went to his Neighbours for Safety: The next morning this Dep^t came to his house again, and found a Stack of Oats of about twenty-five Bushels, and a Stack of Corn Stalks and flax burn'd down to ashes, and the door of his house broke open and Carried away, which this Dep^t has not as yett found, and also near half of the Roof of his house broke off, and his household goods removed out of doors, and several things broke, as this Dep^t was informed by his Mother and Lydia Phillips, who came to his house some time before him, and said they had carried s^d household goods in to the house again, and this Dep^t further Says that he has often heard and believes that Some of the above persons were Concerned in Committing of Some of the late Riots and disorders in this province. and further Saith not.

ABRAHAM ^{his} A PHILLIPS
mark

Sworn the 29th of Nov^r 1749 Before us

UZAL OGDEN

DANIEL PIERSON

Novem^r 30th 1749 We the Subscribers Uzal Ogden and Daniel Pierson do hereby Certify that the above writing is a true Copy of a Deposition taken before us by the above mentioned Abraham Phillips, the razure between the words (morning) and (this) being first made

DANIEL PIERSON

UZAL OGDEN

N^o 12.Copy Depⁿ of Thomas Gould

THOMAS GOULD, of full age, being duely Sworn, Saith that on or about the Ninth of November Instant, at night he was informed by his daughter that there was Several persons come to tare Abraham Phillips to pieces; upon which This Dep^t went and hid himself in the bushes near Said Abraham Phillips's house, where there was a number of persons, who had made a fire there, and this Deponent Says that to the best of his knowledge, and he verily believes, that one Elisha Clark and one Edward Archer were of said Number: And this Deponent heard one say (who he believed to be said Clark) to said Archer, Do you Claim possession of this house? To which said Archer answered Yes. Upon which s^d Clark said, if you will take me for your Captain, I will go foremost; and if you will take my directions, a^d I will gett into the house. This Deponent further Says that while he was in the Bushes afs^d Some of said Company fired four or five Guns. This Deponent says that some time next morning he went to said Phillips house, and found that a Stack of oats, and one of Cornstalks had been Consumed by fire the night before, and part of the Roof of said Phillips his house was broke off, and the door broke open and gone.

THOMAS GOULD

Sworn the 29th of November 1749 Before us

UZAL OGDEN

DANIEL PIERSON.

November 30th 1749 We the Subscribers Uzal Ogden and Daniel Pierson Do hereby Certify that the above writing is a True Copy of a Deposition taken before us by the above mentioned Thomas Gould.

UZAL OGDEN

DANIEL PIERSON

N^o 13.Dep^a of Rob^t Lettice Hooper

ROBERT LETTICE HOOPER Esq^a one of his Majesties Justices of the peace for the County of Somersett and Clerk of the peace of the Said County, being duely Sworn on the holy Evangelists, On his Oath declarad that on the third day of October Instant the General Quarter Sessions of the peace for the County of Somersett mett at the Court house of the same County where he the Dep^a acted as Clerk, and the Grand Jury being Called was Sworn, Charged and went out; after which M^r Colnam, who acted there for the Attorney Generall, informed The Court That one Thomas Clauson, a person Sworn on the said Jury, was a person Indicted of high treason, against whom he had delivered several processes to the Sheriff for Apprehending him; upon which the Sheriff had returned that he was not found in his Bailiwick, and was Surprized now to find that man Returned and Sworn of the Grand Jury of the County. Upon which the Sheriff denied that he had had Such processes, & averred That he did not know the man, but that his Deputy had Summoned him

To which M^r Colnam replied that he was ready to make Oath that he had delivered two such processes to the Sheriff; That The Court ordered The Grand Jury to return, and The Deponent, by order of the Court, Called over the Grand Jury. When Thomas Leonard Esq, first Justice of the Court, acquainted the Grand Jury That he was Sorry to inform them That Thomas Clawson, Sworn of their Number, was a person indicted of hightreason, and a Notorious Rioter, wherefore unfit to be one to Represent the Body of the County, & therefore he ordered, his Name to be Struck out of the Pannell, and the Sheriff to take him into Custody: But the Sheriff, being something in

Liquor, did not move to obey the Order. Then the first Justice Spoke, You *Post* (who was the under Sheriff) why don't you take him into Custody? who did not move. He was ordered Several times to take him into Custody, but still he did not move. Whereupon the Said Clawson began to move off, and many of the Justices on the Bench ask'd Post why he did not Obey the Orders given him? and why he did not take Clawson? The Justices further Ordered the Constables to Apprehend him, but the Said Clawson walk'd softly off without any haste and then the Deputy Sheriff and Constables followed him a little way, and this Dep^t heard, only to the house of the said Post, near by, where The Said Clawson took up an Axe, and Threatened that he would Splitt any Man's Skull that dared to Come near him, then got his horse and Rode off; and that the Deputy Sheriff and Constables soon after Returned to the Court, and Reported the Axe, and the threatenings of Clawson, and his being gone. Whereupon the Court ask'd of the Deputy Sheriff how he dared to Return such a person on The Grand Jury. He Answered, That he thought That affair was all over. The whole Court blamed The Sheriff and Deputy Sheriff Extreemly for not obeying the Orders of the Court; The Sheriff during all this did not move from his Seat or do anything to apprehend the said Clawson. The Court asked The Deputy Sheriff why he had not followed him and taken him; he answered The Taking up the Axe and Clawson's Said threatenings, and further saith not.

R L HOOPER

Sworn the 12th day of Octobe 1749 before

JA: ALEXANDER

N^o 15

Sarah Martin

Province of New Jersey ss SARAH MARTINS of the Township of Woodbridge in the County of Middlesex, Widow, of full Age, maketh oath, That on Friday the 17th of this Instant July about Nine of the Clock in the Morning a great Number of People, to the Number of Seventy or Eighty, as this Deponent believes and was informed, came to this Deponents House, a Tavern in Woodbridge aforesaid, amongst which Company were Simon Wickoff, Thomas Clawson, Hendrick Hooglandt, and many others to this deponent unknown but she believes them to be some of the Persons called, the Rioters; that they waited at this Deponent's House, and thereabouts near two Hours, as this Deponent understood for Several more of their Gang coming up. And this Deponent further saith, That Some of the said Rioters said they were going to Amboy to take a Man out of Goal: That about Eleven o'Clock they went away towards Amboy. And this Deponent further saith, That about Four or five o'Clock in the Afternoon of the Said Day, the said Rioters much about the aforesaid Number returned to her House, and that Simon Wickoff, Thomas Clawson, and Hendrick Hooglandt, were then in the said Company: and this Deponent further says, that she heard some of the Rioters say, that they had taken one John Bambridge out of Goal, and had sent him over the Ferry home and that if there had been a Hundred committed they would take them out as fast as they should be put in; for they did not go about such an Affair; but what they could do it, (or words to that Effect) And this Deponent further saith That she heard some of the said Rioters (to this Deponent unknown) declare That if they had met with any Resistance in Amboy, or if they (meaning as this Deponent believes the Au-

thority) had fired upon them the said Rioters, or hurt any of them *there Should not have been a Man left alive, or a House standing in the said City of Perth Amboy*, but they (the said Rioters) if they could have done nothing else, would have drove them into the River. And this Deponent further says, that she heard some of the Said Rioters say, they had built a Goal back in the Woods, and that they would take M^r John Cox and M^r Samuel Nevill and put them into the said Goal, and then, see who durst fetch them out, or Words to this Effect. And this Deponent further says, That she understood by the said Rioters Expressions, That they had way-laid M^r Cox in order to catch him, and that they threaten'd to do the said M^r Cox a Mischief, and pull his House down to the Ground. And this Deponent further saith, that Simon Wickoff said to this Deponent You knew of our Coming, why did you not get Beer, I recomended them to your House; And this Deponent reply'd I did not expect to see you here, but I should not have got beer sooner upon this Account, Or Words to that Effect. And this Deponent further saith, that the said Rioters rejoysed and greatly triumphed in what they had done.

And further this Deponent Saith not

her
SARAH N MARTIN
Mark.

Sworn this 20th Day of July 1749 Before me
SAMUEL NEVILL.

N^o 16.

Eben^r Saltar

Province of
New Jersey
Middlesex

EBENEZER SALTAR of the Township
of Woodbridge in the County of Middlesex
Blacksmith of full Age; maketh
Oath, That on friday the 17th of this

Instant he this Deponent Saw a great Number of the People called Rioters pass by his House; that he follow'd the Said Company to the Widow Martins, a Tavern Keeper hard by; where he Saw amongst the said Rioters Edmund Bambridge Simon Wickoff Thomas Clawson, and Hendrick Hooglandt; And this Deponent further saith, That he asked Thomas Clawson what they were going to do with all them clubs, Clawson reply'd, they were going to Take John Bambridge out of Gaol at Amboy, who was put in there for taking a man out of Somerset Gaol. And that the said Clawson Said, He would have his Bonds of Samuel Nevill that day, or he would destroy all that the said Nevill had, or words to that Effect. And this Deponent further saith, That some Time in the afternoon, he saw the said Rioters return to the Widow Martins aforesaid, and that Thomas Clawson and Hendrick Hooglandt and Simon Wickoff was then amongst them; And this Deponent further saith, That he heard one of the said Rioters say, that he wish'd they (meaning the Authority) had fired upon them the said Rioters, for if they had, they never should have seen Such Work, for if *they would have destroy'd them all*, and drove them into the Sea (or words to that effect) And this Deponent further saith, That some of the said Rioters said they heard that some others were to be put in Gaol, upon which one of the said Rioters swore, That if they put any more of them in Gaol, they would go to some of the Head Gentlemen Proprietors, and drive them before them like Dogs and make them take the said Rioters out again Upon which this Deponent said, he wish'd they would carry some of them to New York (meaning the said Rioters) and what would they do then? They reply'd, that they would build a Log House, and take as many of the Proprietors and confine them there, and use them as bad or worse till they brought the said Rioters back again. And this Depo-

nent further saith, that the said Rioters triumphed greatly in what they had done, and huzza'd. And further this Deponent Saith not.

EBENEZAR SALTAR

Sworn this 20th Day of July. 1749. Before me

SAMUEL NEVILL.

Letter from six of the Council of New Jersey to Governor Belcher—in relation to the Condition of the Province.

An Original Letter from Six of the Members of his Ma^{ty}'s Council to Gov^r Belcher, dated y^e 22^d Decem^r 1748.

Reced from M^r Morris March. 13. 1749 50.

May it Please your Excellency.

It it with very great Concern we find ourselves under a Necessity of Applying to your Excellency, in the Manner we now Do; but the Duty of our Stations, and the oaths we have taken, as Members of his Majestys Council, will not Permit us to neglect any thing that may tend to the Support of his Majestys Authority, to the Preservation of his peace, or to the Suppression of the Treasons, and traitorous Designs, that Do now, and for a Long time past have Subsisted, and been Carryed on, In this Province; in Which, his Majesty's Authority and Government have been Publickly Slighted, and Treated with open Contempt; we Should have been heartily glad if your Excellency had been Pleased to have consulted his Majestys Council on the Important Affairs of this Province, or, by Meeting with them as a Privy Council, you had given them an Opportunity of Laying before you, and giving your Excellency their thoughts and Advice upon, the present Disorders of the Province.

Had your Excellency been Pleased to have Complied, with the Humble request of his Majestys Council on friday last, when we had the Honour of your Presence in the Council Chamber, by giving us an Opportunity of Laying some things before you, relating to his Majestys Service, and the Peace & Safety of the Province, we Should then have Communicated to your Excellency the resolutions the Council had, that Day, in their Legislative Capacity, come into, upon the House of Assembly's refusing to Do any thing to Suppress a Treasonable Conspiracy Against his Majestys Government, & have Shewn, to your Excellency, the Dangerous consequences of such their refusall, and How Much it Tended to Increase these Disorders, & to Encourage the Rebels & Traitors to go on in their Treasonable Attempts; we Should have Shewn, to your Excellency, How unreasonable it was, to Expect any thing from an Assembly, upon any future Application, to whom that matter had been recommended, no less than Eight Different times, without Effect, and the Absolute Necessity of an Immediate Application to his Majesty and his Ministers, before whom, we Conceived, the State and Condition of this Province ought, from time to time, but, more Especially at this time, to be Laid; we Should have Laid before your Excellency the Informations we had received, that Some of the Magistrates and Officers, in this Part of the Province, had Encouraged those Publick Disturbances, and others had been very faulty and remiss in their Dutys, and Humbly have recommended, to your Excellency their removal, and the Making others, in their Stead; and, as great Numbers of Men, who stand Indicted, and regularly Accused, of High Treason, Did, and Still Do, go Publickly, about the Province, in High Contempt of the Royal Authority, and are Daily Exciting his Majestys Subjects to Treason and Rebellion; we Should humbly have Advised your Excellency, in Order to Prevent his Majesty's, yet Innocent, Subjects, from

being Led Away from their Duty, to have Issued a Proclamation, Against those Persons that are so Indicted and Accused, and who stand out, by force, against the Officers of Justice, Thereby Declaring them Rebels Against our Sovereign Lord the King, and, in his Majestys Name, forbidding all his Subjects, Within this Province, from Having any Intercourse, or Communication, with them; And thus, we Conceived, would Prevent the Treasonable infection from Spreading so far, and so fast, as it otherwise might; All these Things we Should, in most humble manner, have Laid before your Excellency, as we thought it our Duty, and what his Majesty's service required, at a time when part of the Province was, and Still is, in an open Rebellion, Had not your Excellency refused to receive them, by Declaring, That *his Majestys Council had no right to give any Advice, till it was asked*, and Immediately Leaving the Councill Chamber.

We are Sorry to Differr from your Excellency, in Opinion, upon this Matter, But Cannot help thinking that it is the Duty of his Majestys Councill, & Agreeable to their oaths, to Lay before your Excellency, from time to time, what they may conceive Necessary for his Majestys service and the good and safety of this Province; and we are humbly of opinion that it Would be for his Majestys service, if your Excellency was yet to take the Measures we were then About to Advise; but this, we must humbly Submitt to your Excellency; we Do Assure your Excellency that it is with great grief and Concern we behold the Present Distracted State of this Unhappy Province, Exposed to the ravages of a rebellious Mob, who by the Encouragement they have received, are grown so bold & Numerous, as to bid open & publick Defiance to the Government, to break through all Laws, and to Plunder the Estates of his Majesty's faithfull Subjects, with Impunity: and we shall, as in Duty bound, continue our Utmost Endeavours to Suppress these Dis-

orders, and restore the Peace of the Province, and, by a Steady and faithfull Adherence to the Duty of our Stations. By a firm Opposition to Everything that May Lessen His Majestys Authority and bring his Government into Contempt, and by Endeavouring to Advance the real interest and Happiness of the People of the Province, we Doubt not we shall Approve ourselves his Majestys Loyall Subjects, and worthy of the Trust he has been pleased to place in us; And, by that respect, which is Always Due to his Majestys Representatives, show ourselves, at all times,

Your Excellencys Most Obedient &

Perth Amboy

Most humble Servants

Decem^r 22^d 1748

JA: ALEXANDER

ROB^t H: MORRIS

EDW^d ANTILL

JA^s HUDE

AND^s JOHNSTON

PETER KEMBLE

To His Excell^{ty} Jonathan Belcher Esq^r

A Certificate from s. of the Coun^{ty}

Memorandum

That on Friday December the 16th 1748. His Excellency Jonathan Belcher Esq^r Came into the Councill Chamber when the following Members of his Majestys Councill were Present (Viz) James Alexander, Robert Hunter Morris, Edward Antill, James Hude, Andrew Johnston, Peter Kemble, and Thomas Leonard, and Having sent for the House of Assembly they Came and his Excellency haveing given his Assent to the bill for Support of Government and five other bills he was Pleased To Proronge the Generall Assembly to the 16th Day of Feb^r M^r Morris then in behalf of the Councill Applied to his Excellency and told him that the Councill Had Severall Matters to Lay before him

and to Advise him upon, relateing to the Present State of this Province which they beg'd he would receive, but His Excellency replied that the Council Had no right to Advise him but when they were asked and that when he wanted their Advice he would Call them for that Purpose to which M^r Morris replied that the Council thought it their Duty to Advise his Excellency in Matters for his Majestys Service and the good of the Province whether His Excellency Demanded that Advise or not, upon which the Governor said "When I want the Advice of the Council, I shall ask it, to Which M^r Morris again reply'd "I believe Sir the Council will hardly wait for that, And then His Excellency Left the Council Chamber.

The Above facts being reduc'd to writing Immediately After the Governor went away are true As *Witness* our hands in the Council Chamber this 16th Day of December 1748.

JA: ALEXANDER
ROB^t H: MORRIS
EDW^d ANTILL
JA^s HUDE
AND^m JOHNSTON
PETER KEMBLE

A List of the Persons names Recorded and Indicted for Diverse Riots, and for High Treason, in the Counties of Essex Middlesex and Somerset and to which the Attorney General's Answer, to the Order of Council marked Letter A, refers. Received from Mr. Morris March 13, 1749.

(From P R O B T New Jersey, Vol. VI. G 47.)

A list of Rioters Names Indicted in the Court of Gen^l Quarter Sessions, for the County of Essex, And

removed into the Supreme Court by Certior' Novem' Term 1745—

Nehemiah Baldwin,	Nathaniel Williams,
Joseph Pierson,	Eliezer Lamson,
Daniel Williams,	Gamaliel Crane,

A list of Rioters in Essex County returned upon a Record of View, filed in the Suprem Court Novem' Term 1745 .

John Tomkins,	Robert Ward,
Abraham Riker,	John Vincent,
William Williamson,	Johannes Van Winkle,
Ebenezer Farrand	Hendrick Jacobus,
Stephen Young,	Thomas Williams
Thomas Garder	Joseph Lawrence,
Joh Crane,	Levy Vincent Jun'
Robert Young,	Samuel Crowell,
Tho' Serjeant	William Crane,
Jonathan Squire	Samuel Stevens,
	Elihu Ward,

A list of Rioters in Essex County, returned upon a Record of View (for a Second Riot) filed in the Sup' Court in May Term 1746

Amos Roberts,	Larnes Vincent
Azariah Crane,	Josiah Lyndsly
Daniel Crane Jun',	John Wells,
Caleb Baldwin,	Nathaniel Ball,
Caleb Ward,	John Baker,
John Harrison,	Nathan Baldwin,
John Brown Jun',	Ely Kent,
Moses Brown,	Tho' Day,
Samuel Ogden,	Jonathan Davis Jun',
Tho' Lamson,	Isaac Vangeson,
Samuel Parkins,	Paul Day,
Jotham Conduit,	Joseph Williams,
John Dod,	Zebede Brown,
Daniel Taylor, Jun',	David Baldwin,

Theophilus Burwell,	John Gardner
Timothy Ball	Ebenezer Lyndsly,
Timothy Meeker,	Tho' Day Jun',
Pethuel Pierson,	Amos Day,
Elisha Lyndsly,	Ephraim Cranfield,
Aaron Ball,	Ezekiel Ball,
Benj ⁿ Perry,	Abel Ward,

Amos Harrison,

A List of Rioters Indicted in the Court of Genⁿ Quarter Sessions of the peace for the County Somerset & removed in to the Supreme Court by Certiorari in May Term 1747 -

Edmund Bainbridge,	Samuel Price,
John Anderson,	John Bainbridge Jun',

A List of the persons Names Indicted for High Treason, at Amboy August Term 1747. -

1 Edmund Bainbridge	17 Jacob Bodine,
2 Simon Wycoff	18 Bodine,
3 Amos Roberts	19 Abraham Vanwinckle,
4 Theophalus Borral,	20 Hendrick Hogelandt
5 Jacob Shipman,	21 George Hoppe[r],
6 Philip Ike,	22 John Hoppe[r],
7 Barent Dewitt,	23 Daniel White,
8 Cornelius Dehart,	24 Thomas Bowman,
9 Thomas Clawson,	25 Jost Hoppe
10 Dallius Hegerman Jun',	26 Burgher Vanderbeek,
11 John Rieke,	27 George Bowman,
12 Israel Rieke,	28 Thomas Griffin,
13 John Jeffers,	29 Cornelius Moore
14 Cornelius Johnson,	30 David Bearly,
15 Garret Cornelinson,	31 Abraham Anderson,
16 John Scermerhorn,	32 Samuel Price,

*The Assembly of New Jersey's Representation to the
Lords Commissioners for Trade and Plantations.*

To the Right Honourable the Lords Commis-
sioners for Trade and Plantations,

The Representation of the House of General
Assembly of the Colony of New-Jersey,
Convened at Perth-Amboy October, 19th
1749.

Sheweth,

That it has on the Fifth day of this Instant been recommended by his Excellency Governour Belcher to this House to make Provision for payment of an Arrearage of Salary due (as he is pleased to term it) from this Colony to the Late Governour Morris at the time of his Death, which recommendation appears to be the Effect of your Lordship's Letter to the said Governour Belcher, dated White-Hall, November 25th 1748, An Extract of which being laid before us, we have Perused, and from Thence do find Your Lordships Press the matter above mentioned upon Account of the said Late Governour's Strict Adherence to the Directions of Your Lordships Board Touching his dissent to a Bill for Striking Forty Thousand Pounds in bills of Credit; And also in regard to a Petition preferred in behalf of the Executors of the said Late Governour respecting the Premises, which Petition sets forth that his Representatives Suffer on account of his adherence in Manner aforesaid.

Wherefore we have Taken the Premises into Our Consideration, and in deliberating thereon, have had recourse to the Journals of the House; from whence

we find the Representatives of the said Late Governour do not Suffer for his Adherence in the manner Set forth in the said Petition, he having agreed to Pass the said Bill on Condition the Assembly would Comply with his Terms, which not being Granted the bill dropt. but True it is that the said Governour had no Salary set a part for him from the 23^d of September, 1744, Down to his Death, which happened the 21st day of May, 1746; but this was owing to his own Obstinacy in not accepting it in the manner the Assembly thought Proper to Offer it, And to the Abuse of the Royal Powers with him Intrusted, which he Exercised to the great Prejudice of the Publick: and therefore we Cannot think it Consistent with our duty to make any allowance to his Representatives, And have urged his Misconduct for Our Justification herein, Together with a Precedent which he himself was Principally Concerned in Establishing in a Similar Case; all which we have Signified by our Message of the 17th Instant to Governour Belcher, for a Perusal of which, and a Particular State of the said Late Governour's Conduct, we refer Your Lordships to printed Copies of the Journals of this House from his Accession to the Government down to this Time, which we have Ordered Richard Partridge, Esq^r Our Agent in London, to lay before you, where every thing, herein either Suggested or set forth, will at large appear; and by which we Conceive your Lordships will be Convinced, That no allowance ought to be made the said Representatives.

By Order of the House

SAMUEL NEVILL Speaker.

Several of the Members of the House being of the People called Quakers agree to the Substance of this Representations with their usual Exception to the Stile.

Order of the Lords of the Committee of Council, dated the 3d of May 1750, referring to this Board the Petition of the General Assembly of New-Jersey to His Majesty, dated the 29th of October 1749.

[From P. R. O. B. T. New Jersey, Vol. VI, G 37.]

At the Council Chamber Whitehall the
L. S. 3^d of May 1750
By the Right Honourable the Lords of
the Committee of Council for Plantation
Affairs—

His Majesty having been pleased by His Order in Council of the 11th of last Month to referr unto this Committee the Petition of the House of Representatives of the Colony of New Jersey in General Assembly convened, Setting forth amongst other Things, that the Proprietors of the Eastern Division of that Colony from the first Settlement thereof, have Surveyed Patented and divided their Lands by Concessions amongst themselves in such Manner as that many Irregularitys have insued from thence which have occasioned Multitudes of Controversys and Law Suits about Titles and Boundarys of Lands. That the Inhabitants of the said Colony have hitherto fully demonstrated their Principles of Duty and Loyalty to the Government by Supporting of Government to their best Ability granting Aid in time of War when required by any Intimations of the Royal Pleasure and by a ready Submission to the Laws of the Land excepting of late some imprudent People have in a riotous Manner obstructed the Course of legal Proceedings brought against them by their Antagonists touching some of those Controversys about Lands, And

therefore humbly beseeching that His Majestys will be graciously pleased to continue to His Loyal Subjects of that Colony His Royal Countenance in such Manner as He in His Wisdom shall see meet - The Lords of the Committee this day took the said Petition into their Consideration, and are hereby pleased to referr the same to the Lords Commissioners for Trade and Plantations (who have now under their Consideration the State of the said Province) to examine into the said Petition, and Report their Opinion thereupon at the same time they lay the State of said Province before this Committee.

W. SHARPE

To His most Sacred Majesty George the Second,
over Great Britain, France and Ireland
King Defender of the Faith &c^e in Council
The Petition of the House of Representatives of
the Colony of New Jersey in General Assembly convened—

Most humbly Sheweth

That the Proprietors of the Eastern Division of this Colony from the first Settlement thereof, have Surveyed Patented and Divided their Lands by Concessions amongst themselves in such Manner as from thence many Irregularitys have ensued which have occasioned Multitudes of Controversys and Law Suits about Titles and Boundarys of Lands—

That the Inhabitants of this Colony have hitherto fully demonstrated their Principles of Duty and Loyalty to the Government as by the Laws of Great Britain it is Established in Your Illustrious House, by Supporting of Government to their best Ability, Granting Aid in time of War when required by any Intimations of the Royal Pleasure and by a ready Submission

to the Laws of the Land, excepting of late some imprudent People have in a riotous Manner obstructed the Course of legal Proceedings brought against them by their Antagonists touching some of those Controversys about Lands—

That those Controversys have subsisted between a Number of Poor People on the One Part and some of the Rich, Understanding and Powerful on the other Part, among whom are James Alexander Esq' a great Proprietor, an Eminent Lawyer, One of Your Majestys Council and Surveyor General for this Colony, and Robert Hunter Morris Esq' Chief Justice and one of Your Majestys Council in said Colony—

That they the said Alexander and Morris not yielding to Determine the Matters in Contest by a few Trials at Law; as the Nature of the Thing would admit, but on the contrary Discovering a Disposition to Harrass those People by a Multiplicity of Suits, the last mentioned became uneasy (as we conceive) through fear those Suits might be determined against them, when considered, that the the said Chief Justice Morris was Son of the then late Governor Morris by whose Commission the other Judges of the Supreme Court acted and by whom the Sheriffs throughout the Colony had been appointed, and should a Multiplicity of Suits have been determined against those People instead of a few only which would have Answered the purpose the extraordinary & unnecessary Charges occasioned thereby would so far have weakened their Hands as to render them unable to Appeal to Your Majesty in Council from whom they might expect Impartial Justice—

That those are in the Opinion of the House the Motives that prevailed on those unthinking People to obstruct the Course of those Legal Proceedings and not any Disaffection to Your Majestys Person or Government.—

That the said late Governor Morris during his Ad-

ministration exercised the Royal Powers with him intrusted by Your Majesty very detrimentally to the Welfare of this Your Majestys Colony as is more particularly set forth in a Message to his Excellency Our present Governor, a Copy of which We beg Your Majestys leave to suffer Our Agent to lay before You, which with other Reasons induced the Assemblys towards the latter part of his Administration to propose providing for his Support on Condition he would do the Dutys of Government which was the Reason he would not accept it, and therefore died without having any Salary for about Twenty Months during which time he appeared highly incensed against those Assemblys and endeavoured by Insinuation to charge the Irregularitys to Your Majesty

That since the said Governors Decease, his Son the said Chief Justice has kept up his Fathers Resentment against the late and present Assembly for not making Provision for payment of what he calls his Fathers Arrears and seems inclinable to improve any thing he can to the prejudice of those Assemblys and because they have been disinterested in the private Contests about Lands and so have preserved a Strict indifference between the Contending Partys without favouring his Interest, We understand he and his Adherents have from thence taken occasion to charge these Assemblys with abetting those disorderly People which We presume gave rise to a Petition said to be transmitted to Your Majesty by the Council of Proprietors of the said Eastern Division of this Colony of which We have a Copy wherein divers Facts are set Forth that We dont admit to be true and as the Principal Men of the said Council of Proprietors are likewise the most leading Men in Your Majestys Council here, We have some reason to expect something of the like Nature either hath already been or will hereafter be sent to Your Majesty from them, To obviate which as far as may concern the Conduct of the Assemblys We

further beg leave that Your Majesty will suffer Our Agent to lay before You the Copy of what We have said to his Excellency Our present Governor on that Head in Our Address—

That as an Argument of the Loyalty of those Assemblys we may with great humility Remark that they have with a most cheerful Alacrity granted upwards of £24,000 to aid Your Majesty in the late War against the Powers of France and Spain including a Loan to Your Majesty for arming and Cloathing the Forces raised in this Colony upon the late intended Expedition against Canada in pursuance of Your Royal Pleasure signified by the Duke of Newcastles Letter of April 9th 1746. And by the Zeal of those Assemblys for the Success and Glory of Your Majestys Arms this Poor Colony is greatly involved in Debt, and to relieve them therein a Bill for striking £40,000 in Bills of Credit has been transmitted with a suspending Clause for Your Majestys Assent which we humbly pray may obtain it, or otherwise this Colony will be in a most Distressed Condition—

That as a further Instance of the Assemblys Loyalty they have within less than two Years passed four several Bills at different Sessions for enabling the Legislature to Settle the Quota's of each respective County in this Colony as a preparatory Step for levying Provincial Taxes for Supply of the Treasury to the End Government may be supported in an Honourable Manner and the Debts of the Colony discharged with all convenient Dispatch: But so it is, may it please Your Majesty, that the Council have hitherto amended those Bills in such manner that the House could by no Means agree to, under Pretence that some Part of them is repugnant to One of Your Majestys Instructions which we understand in a different light and do find the Part objected against by them conformable to a former Law of this Colony, consistent with the said Instruction and

agreeable to Justice and Equity so that those Gentlemen repeated Dissent to that Bill seems to discover some sinister Views in them they being possessed of large Tracts of profitable Lands which by the said Bills as passed by the Assemblys would have been liable to be taken on Account in Order to be hereafter Taxed—

That as preceeding Assemblys of New Jersey have hitherto demonstrated their firm Attachment to Your Majestys Person and Government so We as by Duty and Interest We are obliged shall always continue to do the same humbly beseeching Your Majesty will be graciously Pleased to continue to Your Loyal Subjects of this Colony Your Royal Countenance in such Manner as You in Your Wisdom shall see meet

And We Your Majestys Petitioners (as in Duty Bound) shall ever pray &c^a

By Order of the House

SAMUEL NEVILL. Speaker

Several of the Members of the House being of the People called Quakers, agree to the Matter and Substance of this Petition with their usual Exception to the Stile—

October 19th 1749.

*Representation to the Lords of his Majesty's most
Honorable Privy Council upon the present state
of his Majesty's Province of New Jersey.*

(From P. R. O. B. T. New Jersey. Vol. XV. pages 306 to 345.)

To the Right Hon^{ble} the Lords of His Majesty's
most Hon^{ble} Privy Council.

My Lords,

Pursuant to your Lordships Order of the 13th of April 1749 & 2^d of February last. We have taken into Our Consideration the present State of His Majesty's

Province of New Jersey, with respect to the great Riots and Disorders which have so long prevail'd and do still continue within the same; and having thoroughly examined all the Papers, which have been transmitted to us relative thereto and having likewise been attended by Robert Hunter Morris Esq^r Chief Justice of the said Province, lately arriv'd in England, and had all such information as he had to offer, We shall humbly beg leave to lay before your Lordships an Account of the Rise & Progress of these Riots and Disorders.

But previous thereto it may not be improper to state the original Right of the Crown to the Soil & Government of this Province;

1st Because the Disturbers of the publick Peace have absolutely denied that Right to the soil, have set up the Right of the Indians in opposition thereto, and made it their pretence for all the Outrages they have committed & 2^{dly} Because many Facts that will occur in the State of this Case will be thereby explained & more clearly understood.

This Country was first discover'd by Subjects of England whereby the Right to the Soil and Government thereof was vested in the Crown of England and was afterwards granted by King Charles the 2^d to his Brother the Duke of York in 1663-4.

In the year 1664 the Duke of York granted New Jersey to the Lord Barclay of Stretton & S^t George Cartaret who establish'd a Government, consisting of a Governor, Council & Assembly, with a Power to the Governor & Council to grant Lands under certain Conditions, which they publish'd as an Encouragement to Persons to settle there. In 1676 these two Proprietors by deed of Partition divided the Province between them, calling it East & West Jersey, whereof West Jersey was assign'd to Lord Barclay & East Jersey to S^t George Carteret, & after his Death, was sold by his

widow, to twelve persons, who separately sold half their respective Interests to twelve others, by which means the Property became vested in twenty four.

In 1702, upon Complaints being made of great Injustice & Irregularity in the Administration of the pretended Government of this Province under the Proprietors, they thought proper to surrender the Government to the Crown, reserving their Right to the Soil & the Rents & Profits thereof, for the Security & Preservation of which, as well as preventing Purchases of Lands from the Indians, very positive Instructions were from time to time given to the several Governors of this Province, & Provision likewise made by several Laws pass'd there, particularly by two pass'd in 1683 & 1703, by the former of which all persons are prohibited from calling the Indians together, purchasing Lands of them, or treating with them on any pretence without a Licence from the Governor under the Province seal, and by the latter all Persons are prohibited from purchasing Lands of the Indians without producing a Certificate of their Title under the Proprietors, in order to obtain a License for such purchase: And all Purchases that had been made by Persons not having a Title under the Crown, or from any person claiming under the same, are declared null and void.

For many years New York & New Jersey were under the same Governor, who chiefly resided at New York, but the Inhabitants of New Jersey having, in the year 1736, represented the great Hardships & Inconveniencies that arose therefrom, and that they were willing & able to support a Governor of their own Province, a Governor was appointed, but without any Allowance from the Crown for his Support, his sole Dependence for which was on the Good will of the People.

This unhappy Dependence soon became in this Province, as it has been in many others, the Occasion of great Contention & Dispute between the different

Branches of the Legislature, whereby the publick Service was obstructed, and the Authority of the Government greatly weaken'd, & as the People of this Province are, in a particular manner, by Principle, averse to Kingly Government, and have always taken every Opportunity of trampling upon the Authority of the Crown, so they did not fail to make their Advantage of a Power so absolutely placed in their Hands; The Assembly refusing to grant any money for the Support of Government, unless His Majesty's Governor would comply with every Measure they proposed, however unjustifiable, or contrary to His Majesty's Instructions, and tho' the late Governor Morris did, by a very prudent & steady Conduct, endeavour to restore the Peace of the Province, greatly disturb'd by such Divisions, and made frequent Remonstrances to the Assembly of the dangerous Consequences which would infallibly attend such violent Proceedings, yet no Regard was paid thereto, and they went on in daily Acts of open Violation of His Majesty's Prerogative, whereby all Authority of Government was destroy'd, & the Powers thereof totally unhing'd.

And as in all Governments wicked Men never fail to take Advantage of Weakness and Distress, to carry their evil designs into Execution, it was at this time that a great Number of Persons, chiefly the dregs of the People, and many of them Irish, some of which had seated themselves upon Lands under pretence of Purchases from the Indians, but the greater part without any Title or pretence of Title at all, taking Advantage of the unhappy Divisions in the Province, and at a time when this Country was employ'd in prosecuting a just & necessary War against two powerfull Nations, & in quelling an unnatural Rebellion at home, entred in Combinations to subvert the Laws, & obstruct the Course of legal Proceedings, denying His Majesty's Right to the Soil or Government of America, and in

sinuating that the Royal Grants thereof were void and fraudulent: And in the prosecution of this design, it appears that one Samuel Baldwin an Inhabitant of this Province having been committed to the Goal for the County of Essex at Newark, in an Action of Trespass for cutting of Trees, wherein he refused to give Bail or enter an Appearance, about 150 persons did, on the 19. of September 1745, come in a riotous manner and with Arms to the said Goal, broke it open & took out the Prisoner, threatening all those who should endeavour to punish them for this Fact, and saying if any of them were taken, they would come to his Relief with double the Number, & bring with them a hundred Indians; In consequence hereof the grand Jury of the County of Essex, upon Return of a Record upon View made by two Justices of the Peace, and the Under Sheriff, presented a Bill of Indictment against six of the Rioters, with many others unknown, for committing the said Riot: And this matter having been represented to M^r Morris, the late Governor of this Province, he, on the 27th of September 1745, sent a Message to the House of Representatives then sitting, acquainting them with this Riot, setting forth the dangerous Consequences of it, & recommending to them to make some Provision by a Militia Act or other Acts to prevent the like for the future; On the 3^d of October following, the Assembly sent a Message to the Governor representing their abhorrence of these Riots, but that as far as they knew the Laws then in Force were sufficient for the Punishment of those that are guilty of the Breach of them: To which the Governor replied by Message of the 18th of October, that neither the Militia Act nor any other they had attempted to make, were sufficient to quell a Riot of that kind, for which Force might be necessary, which could not be had without some Provision to support them, nor could the Officers & Courts necessary to convict the

Rioters attend that Service without Salaries or some provision to defray the Charge of Prosecution, which that House had not provided for.

On the 18th of October the Governor, by Advice of His Majesty's Council, issued his Order to the Attorney General to prosecute the Delinquents & at the same time a Warrant to the Sheriff of Essex to apprehend & bring to Justice all Persons concern'd in the said Riot: And according three of Rioters were apprehended, two of which having refused to enter into Recognizance, they were committed to Goal, and a Guard of the Militia placed upon them; But as the Sheriff was carrying one of them before a Justice of the Supreme Court, he was assaulted by a Number of persons arm'd, who by Violence rescued the Prisoner, whereupon the Sheriff return'd to the Goal to secure the other two Prisoners, but a Mob of about 300 Rioters having assembled in the Town after wounding several of the Guards and the Sheriff, who oppos'd them, and notwithstanding the King's Proclamation was read, they broke open the Prison doors and releas'd the other two Prisoners, & two others confined to debt, and all the Sheriff could do was to make a Record upon View against Amos Roberts and 57 of the Rioters by Name & others unknown to the Number of 300.

Soon after this Riot there appear'd in a publick Newspaper call'd the New York weekly Post Boy of the 17th of Feb'y a Letter as from the Rioters, declaring the Cause of their Riot, setting forth that the Proprietors of Jersey so call'd had survey'd & sold Lands whereon they were seated by purchase from the Native Owners, and had demanded of such as had Patents to pay their Quitrents for their Lands, which animated them to stand by their Properties, & they had chosen a Committee to transmit their Case to England to be laid before the King: That the Proprietors had serv'd

Processes of Ejectment, and had rejected their Proposal of trying their Rights by Law: That what they had done was in defence of their Property, asserting they were loyal Subjects to King George. In answer to this Letter, the Council for the Proprietors publish'd & delivered to the General Council & Assembly a Paper setting forth their Right to the Lands possess'd by the Rioters, that they had several times proposed to these People to join issue in Tryals of their Claims, but were refused, & upon their complaining for want of money to transmit their Affairs & Circumstances to England, they offer'd to lend them what they wanted for that purpose.

The Governor having receiv'd Information of the last Riot did by Advice of the Council represent to the Assembly in his Speech to them on the 14th of March 1745, the great Probability there was of these Insurrections ending in open Rebellion, if timely Measures were not taken to check them, and recommended the Affair to their serious Consideration, acquainting them at the same time that he had done all in his power to suppress this Evil, but without Effect. In answer to this Recommendation the Assembly acquainted him that they had order'd a bill to be brought in for the better regulating the Militia, for repelling Invasions, and suppressing Insurrections & Rebellions, which they hoped would prove effectual, and that they would cheerfully join the other branches of the Legislature in any further Measures as they the Assembly conceived necessary for the more effectual suppressing such dangerous Proceedings: And on the 8th of May 1746 the Militia Act was finally pass'd by the Governor, Council & Assembly, but has not been transmitted to this Office.

It appears from a Paper transmitted to this Board by Mess^{rs} Alexander and Morris two of the Council of New Jersey, after the Death of the Governor, that

about this time forty fighting Indians were come to live at a Place call'd Cranberry, within the Province of New Jersey, who gave out that there were 300 more coming to settle there, That the Cause pretended for such a Number of Indians, coming to live there was, that they were to be taught the Christian Religion by one M^r Brainard, and for that purpose they came to build a Town, a Church & School house, upon the Land of one Falconar, of London Merchant. This Paper represents that whatever Truth there might be in the pretence for those Indians gathering together in that place near the very Centre of the Province, it was not known that M^r Brainard had ever made any Application to the Governor for leave to gather those Indians there, but from the threats of the Rioters and many other Circumstances there was good reason to apprehend that the gathering of those Indians was concerted by them.

On the 24th of April 1746, the Council, as is set forth in the State of Facts drawn up by them in 1747, not thinking what had been done by the Legislature sufficient pass'd a Bill to prevent Riots nearly in the words of the Statute of 1st of George the first against Riots, expressing the difference and the Occasion, and to be in force only for five years.—This Bill was sent down to the Assembly for their Concurrence, but was order'd to lie on the Table to be reconsider'd at the next Session. Notwithstanding however the Bill was not pass'd, yet the Assembly ordered it to be printed in the Vote, with a view as may be reasonably supposed of exposing His Majesty's Council to the Resentment of the Rioters.

On the 17th of April as appears from a Minute of the Assembly, a Petition of several Persons subscribed thereto stiling themselves a Committee chosen by the Petitioners was presented to the House and read, setting forth, their Claims to Lands possess'd by them, &

praying that way might be made by the Legislative Powers for their Relief, by granting them freely to seek & use all lawfull means to obtain Redress of their wrongs by humble Application to his Majesty in Council, and praying the House to lay the Petition upon the Governor in Council; At the same time another Petition of the Inhabitants of the Northern Parts of the Province was presented, setting forth, that they held Lands by purchase from the Indians, that the Proprietors had brought Suits against them, praying to be reliev'd, and that their past misconduct, if such, might pass under the Act of Indemnity; In the aforementioned Paper transmitted to the Board by Mess^{rs} Alexander & Morris, they set forth That a great Number of Names were sew'd and pasted to this last mentioned Petition, which had been subscribed to some other Writings, as appears by some of the latter words thereof, still remaining, and that Multitudes of those Names were of one persons hand writing the same Paper likewise sets forth that John Lowe Esq^r a Member of the Assembly, was one of the Committee of the Rioters and acted as such.

Upon reading the aforementioned Petitions, Mr Neville the Speaker of the Assembly made a very full answer thereto in the Assembly, disproving the Allegations thereof, & proposing their being rejected, declaring at the same time, that he should be far from opposing a pardon to the Petitioners, but should rather promote it, and accordingly moved the Assembly to apply to the Governor to extend His Majesty's Mercy to the Rioters by a general Pardon, under such Restrictions and upon such Condition, as he should think proper, but no such Application was made. The Council however, in expectation thereof, prepared an Act of Indemnity, which was approved by the late Governor & sent down to the Assembly, by which all concern'd in the said Riots were to be pardon'd, upon their

taking the Oaths to His Majesty, and giving their own single Bonds: without any Security to be of their good Behaviour.

On the 28th of April 1746, it was put to the Vote in Assembly, without any regard to what had been proposed by M^r Neville, whether the aforementioned Petitions, together with the Proposals of the Committees for their Petitioners should be sent up to the Governor, & carried in the Affirmative, but it does not appear from the Minutes of the Assembly what these Proposals were nor is there any mention made of them in the s^d Minutes before that day.

They were however together with the Petitions laid before the Council for their Opinion what would be proper to be done concerning them, but the Governor dying in May 1746 before any Opinion could be had upon them, it was thought proper to deliver them to the Proprietors, for their Answer thereto; From the Papers communicated by them to the Council, it appears that the Proposal of the Committee of the Rioters was to accept what had been before offer'd to them by the Proprietors, of bringing in Action against any one Person they should name in order to have the matters in dispute carried into England by Appeal from the Courts of Law there, of which Offer they denied ever having had Notice, this Proposal was accordingly complied with by the Proprietors, and a Declaration of Ejectment serv'd pursuant thereto, and notice thereof given, and their Attorney declared that their Council prepared their part of a special Verdict, and that he intended the first day of August Term to enter into the General Rule with Securities ready to be given on their part, but no Person came on the part of the Rioters, wherefore on that day immediately before the rising of the Court, the Action was enter'd in the minutes of the Court and the Defendant was solemnly call'd, but nobody appear'd for the Defend-

ant, of which an Entry was made in the Minutes of the Court, And altho' upon the request of the Committee for the Rioters, that the Proprietors would quit one of their Council, the Proprietors did propose to them the means of saving the Loss of time likely to ensue by their not joining issue in the Action brought at their Request, yet no Application was made in pursuance thereof, & no mention was made in Court for having Council appointed, from whence it may be inferred, that those Proposals were intended by the Rioters to amuse the Legislature and excuse themselves from the Refusal of complying with the fair Offers made by the Proprietors.

On the 21st of May 1746 the Council receiv'd Information that the Infection of the Newark Rioters was spreading into the Province of New York, for that one Man there by encouragement from the Rioters had purchased about one thousand Acres of Land from the Indians, part of a Tract of Land granted under the Seal of that Province above forty years before, and with sixteen Indians had enter'd upon it and girdled about three hundred Trees of Fine Timber, and with others was endeavouring to draw other People of that Province into the same Practice, assuring them that the Indian Right would be found the only true Right, that the people of Newark had agreed to stand by one another to support that Right, and had a Paper of People's Names who had so agreed. & that they need only send down their Names to be put to that Paper, & they would stand by all such persons; that the same Infection was also spreading into West New Jersey, for that the People seated on the one hundred thousand Acre-Tract in the County of Hunterdon belonging to the Proprietors of West New Jersey had lately had two Meetings in order to agree to stand by one another in defence of their Possessions against the Proprietors, tho' they were seated on their Lands by Leases from

them, and that they had agreed to a Paper for the Purpose, and about seventy had sign'd it, at a meeting on the 26th of April—That one Article of the Paper was That if any person seated on the said Tract should refuse to sign that Paper, that he should be dispossess'd by the rest, and his Improvement sold to the best Bidder, and that from their riding to & fro, there was reason to apprehend they were forming a genl Combination.

The Government of this Province having upon the death of M^r Morris, on the 21st of May 1746, devolv'd upon M^r Hamilton President of the Council he appointed a Meeting of the Assembly on the 11th of June, and in a Speech made to them on the 28th of June, he acquainted them with the Riots which had been committed and that all the Methods that Government could prudently use to put a stop to them had proved ineffectual, and it was not in the Power of the Government to bring the Delinquents to Justice, that these Attempts were of such dangerous Consequence that unless the Legislature took effectual means to punish for the time past & prevent for the future things of such a Nature they would have reason to fear the Resentm^t of His Majesty and of a British Parliament, and therefore recommended to them to take vigorous Measures for restoring the Peace of the Province and giving the Laws their due force, the Assembly however adjourn'd from that day to the 9th of October without taking the President's Speech into Consideration, the Rioters having in the meantime by Force dispossess'd several Persons of their Estates or obliging them to take Leases from them, for which sev^l of them were indicted, and tho' at the Assembly's Meeting again, on the 9th of October, they were reminded by the President of what he had before represented to them, it does not appear that they took any Steps therein, but on the 1st of November sent a Mes-

sage to the President to acquaint that they had gone thro' all their Business and desired Leave to be dismiss'd and were accordingly adjourn'd to the 25th

This Inactivity of the Assembly was attended with further Outrages by the Rioters, who on the 2^d of December 1746 to the Number of an hundred, broke open the Goal of the County of Somerset and set at Liberty one Abraham Anderson, who had been committed thereto upon legal Process, for which five of them were indicted, the rest coming from Essex County were unknown. It appears however from the Information of M^r Nevill the Speaker of the Assembly upon Oath, that upon their Return to Newark, they had form'd a design of coming to Amboy to pull down his House, if he should refuse to deliver up to Thomas Clawson some Bonds of his for money due to M^r Nevill, and that the said Clawson accordingly made a demand of them, saying he would have them, if he died for it; Informations of these Proceedings having been given to the President of the Council he communicated the same to His Majestys Council, who advised him to issue his Warrant to the Sheriff of Middlesex to apprehend the said Clawson or any Persons that should assemble themselves to execute their Threats against M^r Neville, and if needfull to raise the Posse of the County, which was accordingly done, and a Proclamation issued at the same, forbidding all Persons to join with the said Rioters, or to assist, counsel or receive them, and commanding the Sheriffs of the several Counties within the Province, that in case any Number of Men should unlawfully assemble themselves in any of the Counties to the Disturbance of the Peace, they should raise the Posse of their respective Counties to suppress them

On the 18th of March 1746-7 the President acquainted the Council, that as there was an absolute necessity that His Majesty and his Ministers should be inform'd

of the State & Condition of this Province of the many Riots, publick Breaches of the Peace, & other Contempts of his Majesty's Authority & Laws, he had, finding himself in a bad State of Health, requested Mess^{rs} Alexander and Morris, two of the Members of that Board, to lay the State of the Province before His Majesty's principal Secretaries of State, and this Board, and he communicated to the Council Copies of the several Letters they had wrote to the Duke of Newcastle and this Board, and also a State of the Facts which had been transmitted by them, which had the Approbation of the Council.

On the 25th of March 1747, the Proprietors publish'd a printed Narrative of what had been done in Consequence of the Proposal which had laid before the Assembly by the Rioters, and their Refusal to comply with the Offer which was made by the Proprietors thereupon of bringing an Action against any one Person, in order that the matter in dispute might be carried into England by an Appeal. In answer to this Narrative & to the Publication of the Proprietors on the 25th of March 1746, which has been before mention'd, a Paper was soon after publish'd and printed by the Committee of the Rioters, setting forth their Right of Purchase from the Indians alledging that their Lands were purchased under a Licence from the Governor of that Province in 1666, to purchase what quantity and when and where the Purchasers should think convenient. That all their Lands were purchased before any Laws were made to prohibit Purchases from the Indians That as to the pretence of the Proprietors Right, there never was any just and lawful Title to any Lands within that Colony, unless obtain'd by compact and purchase with & from the Native Owners thereof, that they readily agreed to the carrying the Dispute into England by Appeal from a Court of common law, without any further Process

there, but finding a Scheme of the Proprietors for a Suit in Law contrary to or at least devious from what was before publish'd, and supposing they might be ensnared, they applied to M^r Smith a Counsel at Law, who consented to undertake for them, provided he could be released by the Proprietors, which they denied, and that they conceiv'd their acquiescing in what the Attorneys, assign'd them by the Court, should please to do in their Cause, was committing the whole Affair to the Decision of the Proprietors, and so far were these people from acquiescing in any degree with the Offer of the Proprietors or submitting themselves to the Laws of their Country, that they still went on committing Acts of open Violence, assembling in great Numbers, breaking open People's houses, turning some out of Possession, & taking their Houses & Lands into their own Possession, and threatening others; They likewise erected Courts of Judicature, and determin'd Causes by hearing one side, but intended for the future to hear both, they also took upon them to choose their Militia Officers buoying themselves up at the same time with their Numbers, Friends & Strength, not only in New Jersey, but New York, Long Island, Pennsylvania & New England, saying they were not afraid of any thing the Government could do to them, and giving out that from their Numbers, Violences and unlawfull Actions they inferr'd that they were wrong'd & oppress'd, or else they would never rebel against the Laws: That they likewise agreed to defend all their Lands by Mob, & that others who had no Right but Possession and Improvement had join'd in firm Engagements to stand by one another until death, that they were resolv'd to use Fire Arms, if oppos'd with Fire Arms, and that they would not mind either the Governor or the King himself, if of a different way of thinking from themselves, saying that the King him-

self was unable to quell Mobs in England any other way than by granting their desires, of all which several Outrages many particular instances are specified in the aforementioned State of Facts drawn up by the Council.

The Assembly having, by the Presidents appointment, met on the 6th of May, he laid before them all the Papers relating to the proceeding of the Rioters and strongly represented to them the distracted State of the Province occasion'd by these Riots, recommending to them to take vigorous Measures for the punishment of the disturbers of the publick Peace, who had made so many Attempts to throw off His Majesty's Authority, publicly denying His Majesty's Title to New Jersey, & refusing Obedience to the Laws, had broke open Goals beat and abused the Officers of Justice, turn'd People out of their Possessions, and committed other Acts of Great Violence. That all the Measures of the Governor to put a stop to these Insurrections had proved ineffectual, and therefore hoped the Assembly would without delay fall upon such Measures as might restore the Peace of the Province, and by severe Laws prevent the like Disturbances for the future. The Assembly return'd an Answer to this Representation on the 9th of May, setting forth, that they should willingly join with the other Branches of the Legislature in any Measures for suppressing the Riots which had been committed, of which they had the greatest Abhorrence, but as the framing of Laws for that purpose would require great Consideration, & more time than they had at present being only call'd to make further provision for the Forces against Canada, they hoped these riotous Proceedings might not be continued, but if they should, they would at their next Meeting have more time to consider of those Affairs, and having no more Business before them, they desired to be dismiss'd; Upon the Address of the As-

sembly the President desired to be inform'd what Bills or other business was before the Council, and was acquainted That they had under their Consideration the Riots which had been committed and had order'd a Bill to prevent Tumults and riotous Assemblies to be brought into that House, which had been read, and stood committed, that they should have pass'd the Bill but found so great Unwillingness in the Assembly to proceed to any Business at that time, that they judg'd it in vain. And the President having ask'd their Advice & Opinion what was proper to be done, they declared they look'd upon it as the Duty of every branch of the Legislature to exert themselves upon this Occasion with the utmost Vigour, to enable the Government to bring the Rioters to Justice, & that they were ready & willing to do all in their Power, but were sorry the Assembly would not join in any Measures at that time to check so growing an Evil, but since they were determin'd not to do any thing, it was to no purpose to keep them together, & therefore they advised their Adjournment to the 25th

The Rioters encouraged by want of Power in the Government to suppress or punish them, now broke out into more flagrant Rebellion, and in July 1747, 200 of them arm'd with Clubs, broke open the Goals of the City of Perth Amboy, and set at Liberty one John Bambridge, who had been indicted for breaking open the Goal of Somerset, knocking down & wounding the Sheriff & other Officers who endeavour'd to oppose them, giving out, that if they had been shot at or resist'd, they would have sent a Party & levell'd Perth Amboy with the Ground, and destroy'd the Inhabitants, upon which 32 of them were indicted by the Grand Jury at the Supreme Court held soon after at Perth Amboy for High Treason, in levying war against the King, but this had no Effect, for soon after forty or fifty of them broke open the Goal of Somerset

& took out a Prisoner who had been committed there for a Trespass, and also rescued another mans from the Hands of the Sheriff who had arrested him, and was conveying him to Goal.

His Majesty having been pleas'd to appoint Jonathan Belcher Esq^r Gov^r of this Province in the room of M^r Morris, he arriv'd there in August 1747, and the Assembly meeting on the 20th of August, he acquainted them that by Representations which had been made to him, he found some parts of the Province were in great Confusion thro' the audacious Attempts of a Set of seditious Persons to shake off their Allegiance to the King, trample upon his Laws & subvert Government, and therefore hoped the Governor Council & Assembly would join in measures to put an End to this Disorder, & restore Peace to the Province; To this both the Council & Assembly answer'd by their Addresses that they should heartily join in any Measures to put a stop to the Riots, & Committees were appointed by both houses to consider in a free Conference of ways and means for that purpose, but the Assembly being adjourn'd to the 17th of Novem^r it does not appear that anything was done by them, the Rioters still going on in committing great Outrages, breaking open the Goals of Morris & Essex Counties, and setting at Liberty Prisoners confined therein, and also the Goal of Huntingdon County from whence they took one David Brerely, who stood committed for high Treason, One other of those Rioters, who had been arrested by the Sheriff of Hunterdon, who had a Process of Treason against him, was rescued by the rest, tho' they were told that in so doing they were guilty of high Treason.

At the meeting of the Council & Assembly in November, the Governor acquainted them in his Speech that he had since last meeting receiv'd sundry Complaints from Numbers of Persons who said they were unjustly disturb'd in the possession of their Lands, &

in answer thereto had order'd them to be laid before them, that as the Committees appointed by both Houses to examine into the Riots and Disorders, which had been committed had not acted, he wish'd they would make out a Committee of Gentlemen the most disinterested in this Affair, and then sit *de die in diem*, till they should be able to report what might be proper to be done to put an end to these Disorders & Confusions which had so long subsisted.

The several Papers referr'd to in the Governor's Speech having been laid before the Council & Assembly, they appointed Committees to meet on a free Conference, to consider of ways & means for suppressing the Riots & Disorders in the Colony, and the Council in their Address to the Governor on the 5th of December, after having laid before him a short Account of the great Violences & Outrages which had been committed by the Rioters, & represented the unhappy state which the Province was thereby reduced to, assur'd him they would make it the principal Object of their Care, and should to the utmost of their Power afford the Governor all possible Assistance in restoring the Peace of the Province & re-establishing the Laws of the Community.

On the 7th of December the Council having receiv'd information that the Rioters who had broke open the Goal at Hunterdon had form'd a design of coming to Burlington, where the sev^l Branches of the Legislature were sitting, in a Body in order to apply to the Governor & Council, & to prevent their being apprehended by the Officers of the Government, for any Crimes they had committed, they communicated the same to the Assembly, and desired a Conference thereon by Comm^{ees} of both Houses, which was accordingly held, and they severally came to the following Resolutions viz^t

That any Number of Persons coming to present Pe-

titions or lay Complaints before any Branch of the Legislature in a tumultuous manner, or in Company with any Person or Persons indicted for or legally accused of the Disorders committed in this Colony, in order to protect and countenance such Persons, is & will be a high Infringement of the Privileges of the Legislature, an Insult upon them, and a Contempt of the Laws, but if any of those Persons so indicted or accused have any thing to offer, it ought to be presented in a decent a manner by a small Number of others in their behalf. That any Number of Men gathering themselves together, or assembling in a riotous manner, in order to accompany any Petitions or lay any Complaints before any of the Branches of the Legislature of this Province, is dangerous to the Peace and safety of the Province, a high Contempt of the Body of the Legislature, an open Violation of the Laws & Constitution, and evidently tending to infringe and break in upon the Liberty & Independency of the several Branches of the Legislature, to awe and influence them in Matters under their Consideration, & is of most dangerous & pernicious example. That any Number of Men gathering themselves together, or assembling in order to protect any Person from being taken by the Officers of the Government who stand indicted or legally accused of High Treason, or any other Crimes, is a great Contempt of His Majesty's Authority & of the known Laws of the Land, and is highly criminal

The first of the aforementioned Resolutions were made by the Assembly and the two latter by His Majesty's Council

And here it must be observed that at the time these Resolutions were made, the Rioters were actually on their way to put their Threats into Execution, but as the Resolutions were order'd to be affix'd up in the most publick places in the several Counties of Hunter-

don, Somerset, Middlesex & Essex throughout which it was supposed the Rioters might pass, they had the desired Effect of preventing their design being carried into Execution. On the 9th of January 1747, the Council prepared a State of the Riots which had been committed, & instructed their Committee to communicate the same, with the proofs which had been laid before them by the Governor, to the Committee of the Assembly, upon a Conference which was to be held on 12th, they were also instructed to assure them that the Council would assent to any measures, consistent with the Laws, for putting an end to these Riots, to observe to them the danger that would attend the Province, if they were suffer'd to continue, not only from the Rioters but from His Majesty & a British Parliament, and the ungratefull Return they should make His Majesty for his Care and Protection, by flying in the Face of his Officers & openly contemning his Commands, that they hoped the Conduct of the Province would render it unnecessary to have Forces sent amongst them, but should it be otherwise, they had reason to believe a great Force would be sent, which would be a very great Hardship upon the Innocent, upon whom the Burthen would be laid. That the Threats and taunts of the Rioters of the great Number of Friends in other Provinces, if true, would render the distemper dreadful and incurable by the Legislature there, but that there was reason to hope they were not true, for though the Rioters were endeavouring to draw Persons into signing their Petitions to the Governor, yet the whole number did not exceed . . . hundred, and the Names to some of them of one hand writing, that there were many of the Names of Infants, Vagrants & Persons of no Property, that however it was incumbent upon the Legislature to do their utmost to put a stop to these Riots, which would otherwise increase beyond the Power of doing it.

On the 19th of January 1747, a Petition of the Rioters of the Counties of Middlesex, Essex, Somerset, Hunterdon, Bergen & Morris was presented to the Assembly, setting forth That these Grievances arose from their Opponents claiming their Lands under Conveyances in England which they have not seen, That the Judges & other Officers before whom all Land Causes must be tried are influenced and in the Proprietary Interest, which gave them much uneasiness, and the more so, when their reasonable Proposals to purchase their possession rejected, and Multitudes of Suits brought against them, that this was the true Cause of the Confusions & Disorders that had happen'd amongst them, & no Disloyalty to His Majesty: They therefore pray'd that disinterested Persons might be appointed, before whom they were willing to have a fair Tryal, and that an Act of Indemnity might pass that Session in the Petitioners favour, At the same time a Report was made from the Comm'ee of the Council on ways & means for suppressing the Riots & Disorders in the Colony, setting forth, That they were unanimously of Opinion that it would be necessary that the Legislature should interpose in order to restore the peace of the Province, and give Force to the Laws notoriously violated, for which purpose effectual means should be taken by the Legislature to strengthen the Hands of the Government, so as to enable them to carry the Laws into Execution, & that a proper Act or Acts should be proposed and pass'd for preventing the like Troubles for the future, and the Comm'ee agreed that the Gentlemen of the Assembly should propose it to the House to prepare & bring in a Bill or Bills for that purpose. That it was also under the Consideration of the Committee whether if the Governor would be pleased to extend the King's Pardon to those who had offended, it would not conduce to restoring the Peace of the Province, and that some of the Committee of

that House had by Order of the Committee waited on the Governor who signified his Willingness, that a Bill should be sent down to extend His Majesty's Grace and Favour as far as he was impower'd to extend it. It was likewise reported by a Committee appointed to take into Consideration a Speech made by the Governor relating to an Expedition against Crown Point, that it was necessary that Provision should be made from time to time as Occasion required for defraying the necessary Expenses which might arise by the legal calling the Forces of the Colony together for the suppressing & repelling Invasions, Insurrections & Rebelions, or for the Assistance of the neighbouring Colonies, or upon any necessary Occasion whatever, both which Reports were agreed to by the House.

On the 16th of February the Governor sent down to the Council & Assembly, an Act entitled an Act to pardon the persons guilty of the Insurrections, Riots and Disorders raised and committed in this Province, which on the 17th was accepted on one reading by the Council, & accepted & pass'd by the Assembly also upon one reading, on the same day.

By this Act a full pardon is granted to all Persons who have raised or committed Riots or Insurrections, or have aided, advised or approved thereof, with a Proviso that those who had been indicted, recorded, or prosecuted for such Riots should within six Months take the Oaths to the Government, and give their own single Bonds severally in the Sum of One hundred pounds to keep the peace of three years, restore the Possession they had forcibly taken and detain'd, and pay the Fees of their Prosecution, and as to such as stood indicted or might be indicted for High Treason, a Stay of Prosecution was granted until His Majesty's Pleasure should be known, upon their complying with the Terms before, and as a further Mark of their Disposition to comply with the Request of the Rioters,

the Legislature of the Province pass'd another Act for avoiding Actions of Slander and for Stay of Proceedings until the 1st of Octo^r 1748, in civil Action against the Rioters. They also at the same time pass'd another Act for the suppressing and preventing of Riots, Tumults, and other Disorders within the s^d Colony, by which a Penalty of £10 is to be laid upon any Person or Persons who shall be convicted of breaking open or pulling down any Goal, Prison or Dwelling House, or entring forcibly upon any other Persons land, or rescuing any Prisoner or Prisoners out of the hands of the Constable or other Peace Officer, or if unable or unwilling to pay the said ten pounds, to be imprison'd for ten months.

This Lenity of the Governm^t and their too easy Condescension to the Request of the Rioters was however very far from having the desired Effect, for it does not appear that any more than twenty three of the Rioters complied with the Conditions of the Act of Indemnity before mention'd; But on the contrary, the Rioters refus'd to quit Possession of the Lands they had forcibly taken away, & continued to committ the greatest Violences in so much that in November 1748, twenty or thirty broke open the Goal of Essex County, and set at Liberty one Amos Roberts the principal Ring-leader, who had been committed there upon Process of high Treason, after which the said Amos Roberts & others had a Meeting at a place nine miles distant from Perth Amboy, where the Legislature was sitting, in order to enter into new Engagements for standing by one another, levying money for their defence, which they obliged several Persons to pay, and appointing Officers, they had also several Meetings prior to this, in order to draw People into their Engagement, tampering with them to take Leases from their Commi^{tee} for their Possession. It also appears that they had for eight years past committed great waste of Timber

on Lands belonging to other Persons which produced the best Timber in the Province.

These Proceedings together with a Memorial from the Proprietors to the Legislature, setting forth the unhappy Situation of the Province, & praying effectual means might be taken to enforce the Laws and protect their Estates & Persons, and those of the Inhabitants, induced the Governor strongly to represent the same to the Council & Assembly. in a Speech he made to them on the 3^d of December 1748, wherein he set forth the absolute Necessity of doing everything in their Power to put an End to such dreadfull Confusions & recommended to the Assembly to grant money for the Support and Protection of the Governm^t and the Officers thereof; whereupon the Council sent a Message to the Assembly setting forth the late Riots which had been committed and the dangerous Consequences thereof. that they were unanimously of opinion that the Legislature ought without delay to fall upon some vigorous means to strengthen the Hands of His Majesty's Governm^t to enable the Officers to carry the Laws into Execution and thereby to protect the Persons and Estates of the People and secure to His Majesty the Dependance of the Province, & therefore requested a free Conference upon the Subject of these Matters, & for this Purpose they prepared a second State of the Facts of these Riots together with Instructions to their Comm^{tee} for their Behaviour in the Conference, wherein they were directed to acquaint the Committee of the Assembly, that the Council intended to bring in a Bill declaring that persons who had not accepted the Pardon & were indicted for high Treason, should be convicted thereof, unless they should within a certain time deliver themselves up to Justice, as also another Bill empowering the Governor to grant Commissions for trying Persons now indicted, or that shall be indicted, in a certain

time to come, in such County or Counties as he shall think proper, that the Council were sensible that these two Bills would not be effectual, unless it should be provided by another Bill, that in case they do not submit to the Laws, the Hands of the Governor should be strengthen'd by such a Force as will be necessary to oppose & suppress them, & protect the Courts of Justice & Prisons, for which Provision should be made, as well as for the extraordinary Charges of the Trials of Criminals, that they were sensible of the extraordinary Charges of the said Provisions, but when it should be consider'd that a very small Expence would have been sufficient three years ago to have put an End to these Evils, that unless done now, the Evil will increase, they hoped the Assembly whose proper Business it was, would raise money for this Service.

These Resolutions were attended with a very strong Address from the Council to the Governor, in answer to his Speech, acquainting him with what they had done, and assuring him of their utmost Endeavour to restore the Peace of the Province, but far different was the Address of the Assembly presented the same day, wherein they took Notice that they found that the Lenity of the Government had not had the desired Effect, and that the Pardon offer'd was slighted by some of the Rioters, that it was with great Concern they consider'd what might be the consequence of this audacious Madness, but were however of Opinion that the Laws ought to be more fully put in Execution, and if they proved insufficient their particular Defects might be pointed out to the next Meeting of the Assembly that they might be enabled to do what might be further necessary upon the Occasion. To This Address the Governor answer'd that he was sorry to find so little of a substantial Answer to what he so strenuously recommended, and that he look'd upon it as the Duty of the Assembly to grant Money for paying Men

that might be rais'd for guarding the Goals of the Province, & protecting the Civil Officers, as well as enacting some good Laws for bringing the Rioters to Justice, which unless they did, the Province would soon become a Scene of Distraction, at the same time he acquainted the Council with the Satisfaction he had in the Assurance of their joining with him in measures to suppress the Outrages which had been committed, & that he wish'd some effectual measures were taken: But if no Help could be had amongst themselves, he should represent the State of the Government to His Majesty.

On the 10th of December the Assembly sent a Message to the Council to acquaint them that they had in their Address to the Governor signified their Sentiments on the Subject matter proposed by the Council to be conferr'd upon, and that they should apply to the Governor to put an end to the sitting, as they had nothing else before them.

The Council upon receiving this Message appointed a Committee to take the same into consideration together with the State of the Province, & on the 12th of December sent up the following Message to the Assembly, That the said Comm^{ee} having taken into Consideration the said Message of the Assembly & their Address therein mentioned together with the State of the Province had come to the following Resolutions which had been agreed to by that house. viz^t

That as there are many hundreds of Traitors & Rioters in the Counties of Essex, Hunterdon, & Somerset, and that very few of them are as yet discover'd in comparison with their whole Numbers, and as those known & unknown have numerous relations in those Counties, it is impossible for a Sheriff of either of those Counties to know but that many of the Jurors he returns for Tryal of those Criminals are either equally guilty or relations of those who are equally guilty with

the Criminals to be tried, and as the Goals of those Counties have been already so often broke open & the Traitors & Rioters therein committed rescued by Mobs of hundreds of people at a time, it's the unanimous Opinion of the Committee that no safe or impartial Tryal can be had of any of those Criminals in either of the said Counties.

That for this reason the Governor was in his Duty in not issuing any Commission of Oyer & Terminer & Goal Delivery to any of the three Counties, and will continue in his duty in refusing to grant such while those Counties continue in the above Circumstances.

That in order to do Justice on those Criminals it's necessary that an Act of Assembly be passed to enable the Governor to issue Commissions to other Counties for the Tryal of those Criminals.

That as the Rioters had the Insolence to come in hundreds to the City of Perth Amboy, the Capital of the Eastern Division of New Jersey tho' no one Person in that City is known or supposed to be a Countenancer of them, and traiterously & riotously broke open His Majesty's Prison there, no Court can reasonably expect to be safe in the Trial of any of those Criminals in other Counties without a sufficient Force to guard them ag^t the Multitudes that the Traitors and Rioters can bring to insult the Courts of Justice, & rescue the Prisoners out of their Custody.

That it is the incumbent Duty of the Legislature to interpose at this time without further delay, to give Strength to the Governor, by supplying him with such Sums of money for raising and maintaining so many Troops as may be thought necessary on this Occasion, to protect the Officers of the Government in the Execution of the Laws and for defraying the extraordinary Charge of bringing those Criminals to, and trying them in other Courts.

The Council further set forth in their Message, That

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The Council further set forth in their Message, That

they had consider'd the many strong & pressing Recommendations which had been made to the Assembly to strengthen the Hands of the Government, so as to enable the Officers thereof to put the Laws in Execution particularly that of the 28th of September 1745, to which the Assembly answer'd that as far as they knew the laws then in force were sufficient for the punishment of those that were guilty of the breach of them, and when any deficiency in the Laws was pointed out to them, it should always have its due weight; that they should pass over the other Answers of the Assembly, and only observe that on the Recommendations of August & Novem^r 1747. Committees of the Council and Assembly declared themselves unanimously of Opinion, that it would be necessary that the Legislature should interpose to restore the Peace of the Province, and give Force to the Laws of the Country, which they declared had been most notoriously violated for which purpose they were of Opinion that effectual Measures should be taken by the Legislature to strengthen the hands of His Majesty's Government, so as to enable them to carry the Laws of the Land into Execution, That His Majestys Subjects might again enjoy the Benefit and Protection of them, and that a proper Act or Acts should be prepared and pass'd for preventing the like Intestine Troubles for the time to come And the Committees further Agreed that the Gentlemen of the House of Assembly should propose it to their House to prepare and bring in a Bill or Bills for those purposes, which joint & unanimous Opinion of the said Committees was reported and agreed to by both houses, as by their Minutes of Jan'y 1747. did appear.

That a Committee of the House of Assembly on the 23^d of Jan'y 1747, amongst other things reported and declared it as their Opinion, that Provision should be made from time to time as occasion might require for

defraying the necessary Expenses that might arise by the legal calling the Forces of this Colony together, for the repelling and suppressing Invasions, Insurrections and Rebellions, or upon any necessary Occasion whatsoever, which Report was agreed to, as, by the Minutes of the Assembly of that day, appears.

That by an Act of the whole Legislature past that Session it was declared that within three years then last past many and great Riots and Disorders had been committed within this Colony by multitudes of People, on pretence that they labour'd under Grievances, and that the several Branches of the Legislature then mett & assembled together heartily disposed to enquire into the said Grievances & Oppressions, and to give relief therein, as far as in them lay, upon mature Deliberation did not find but that all the Matters complain'd of were remedyable in His Majesty's Courts of Justice Law & Equity which were open to all, and to which the Complainers might have had recourse, and by the same Act was declared the said Agreement of the Council & Assembly that effectual measures should be taken to strengthen the hands of His Majesty's Government, so as to enable them to carry the Laws of the Land into Execution, that His Majesty's Subjects might again enjoy the Benefit and Protection of them, as by that Act amongst other things did appear.

That on the 17th day of Feb'y 1747, His Excellency the Governor pass'd His Majesty's most gracious Pardon, entituled, An Act to pardon the Persons guilty of the Insurrections, Riots & Disorders rais'd and committed in this Province, which was thankfully accepted by both Houses of the Council & Assembly, by which all those Criminals were pardon'd upon Condition that those who had been indicted, recorded or prosecuted, should within six months take the Oaths to the Governm^t prescribed by the Laws of this Province, and give their own single Bonds severally in the

Sum of One hundred pounds to keep the Peace for three years, restore the Possessions they had forcibly taken, and pay the fees of their Prosecutions, and as to such as stood indicted or might be indicted of high Treason, or Stay of Prosecution was granted untill His Majesty's Pleasure should be known upon their complying with the Terms before

That by the Depositions & other Evidences that had been before them & were sent to the House of Assembly before the said Address, no more than twenty three persons, of the many hundreds that stood in need of the said pardon, had accepted of the Benefit thereof, and that no more than nine of those twenty three appear'd to have complied with all the Terms thereof. That by those Evidences it appear'd that the Rioters during the said six Months and since, continued by force and arms to plunder particular Mens Estates as before, & were assiduous during that time & since to gain People over to their Combinations and to levy Monies; That by those Evidences the plunder they had made of particular men's Estates was of very great Value, and from those Evidences & other good Informations they had reason to believe of far more value than would have been sufficient to have rais'd One thousand regular Forces & maintain'd them for a year, whereas half that Number for six months is no more than sufficient to give the Laws their full force, and the fourth part of that would have been sufficient a year ago, and the tenth part of it sufficient three years ago, That no one of the many Possessions which the Rioters have forcibly taken and detain'd, appear'd to have been restored.

That by these Evidences appear'd some of the many Artifices they used, to bring & keep People in their Combinations, such as the Threats of pulling down their Houses, if they enter'd not with them, & Fears of Death if they deserted, and by cajoling others with

the Merit of defending their Country, by joining with them.

That by these Evidences and the Evidences that were before them & the Assembly at last Sessions, it appear'd there had been above twenty Riots, traiterous and unlawfull Assemblies, within three years last past, and yet the Weakness of the Government had been and is such as not to be able to hold any one of the Criminals in Goal any longer than those combined with them think proper, That the chief Ringleader Amos Roberts, while the Assembly was sitting, at only twenty miles distance from Perth Amboy being committed on Process of Treason in the morning of the 28th of November last, at Sunset of the same day, the Goal was broke open, and he rescued.

That by these Evidences it appear'd that the very next day he rid openly at noonday with several of his Accomplices from Newark to the Widow Hampton's at Rahway within nine Miles of Perth Amboy where the Legislature was sitting, and there met with several others of the Rioters & Traitors, who came upon a prior Appointment from the different parts of this Province and that their Business was the entring into new Combinations for their mutual defence and raising money, dividing into Wards & appointing Officers for those Purposes, That by these Evidences it appear'd that they had Captains over the particular Rioters in particular places of this Province, and that the said Amos Roberts is the chief of all.

That it was well known to the House of Assembly, from the Depositions and Papers laid before them at the last Sessions, that many hundreds were concern'd in the Treasons and Riots committed in this Province, and by the Papers which were before them at the time of making their said Address, it plainly appear'd that only twenty three of those hundreds had taken the Benefit of the Lenity of the Governm^t which left

them at a loss what to think of that Expression in their Address, that some of them had slighted the Lenity of the Government thereby insinuating, that only a few continue their wonted Obstinacy in opposing the Laws; when the contrary appear'd by the said Evidences before them, and was and is notoriously known throughout this Province.

That they were equally at a Loss to know what they mean, when they say it's with the greatest Concern that they *think* what may be the Consequences of this audacious Madness, when the Consequences are so obvious to every man, and when they have been so often laid before them, as by the nine several Recommendations to them of that matter, hereinbefore pointed out, appear'd.

That it was with the greatest Grief and Concern they observe that the House of Assembly have, by their said Address, now come to doubt whether the present Laws be not of themselves sufficient, and that after their so strong Resolutions & Declarations of last Sessions hereinbefore mention'd, and no one thing to that day done to strengthen the Hands of the Government pursuant to these Resolutions & Declarations, nor one penny of money put into the Treasury for that purpose. That they were griev'd to say, what was so obvious to every one, as they can scarcely avoid seeing it, by comparing this doubt of the Assembly with their Answer of Oct^r 3^d 1745 to the first Recommendation of this matter, many Promises, Resolutions, and Declarations by Votes and by Acts, to put an End to these Disturbances, the Assembly had got just where they were at the beginning of Oct^r 1745, viz^t to doubt whether the Laws alone, with^t their Aid, be not sufficient.

That they should be as far as the Assembly from forbidding the Courts of Justice and the Officers thereof from issuing the due Process of Law against

every Offender, that it was their Duty to do it, and neither of the Houses had any Right whatsoever to forbid them, but yet it seem'd obvious to them that every Execution of Process without strengthening the Hands of the Government, so as to protect the Goals, and every Rescue from them brought His Majesty's Name, Authority & Laws more and more into Contempt, and increased the Number and Guilt of the Delinquents, and what the Consequences of that would be, were obvious, the only good end they knew of that it could serve, was to shew that the Officers of the Government had done their Duty, & that the not bringing those Criminals to Justice, was not their fault.

That they could not but observe how absolutely necessary it was to supply the Treasury for the above extraordinary Charges of Government, at any possible Rate, and that they made no doubt but there were many ways of doing it forthwith without the aid of a Tax Bill, such as a short Act empowering the Treasurers to borrow money at lawfull interest on their Notes & upon that Act, and they doubted not but that any Sum needfull could in a few weeks by that means be rais'd.

That they had some reason to guess at sentiments of the Assembly on both the Subject Matters proposed to them by the Council, which that House in their Message said they had signified in their Address to His Ex'cy but as that was to His Excellency & not to the Council & was not peremptory whether the Assembly would or would not confer with them on the subject Matters proposed, they conceived them entitled to and did therefore insist on a categorical Answer from the Assembly on these points.

That upon the whole they were clearly of Opinion that it was the indispensable Duty of both Houses at that time heartily to join with his Excellency in the most effectual means to put a Stop to those growing

Evils that so evidently tended to the utter subversion of their Constitution & to the throwing off the Dependance of the Colony on the Crown of Great Britain, and that if that Session should rise without effecting a purpose so absolutely necessary, it would evidently be attended with such Consequences as might render the thing impracticable for the Legislature for the future.

On the 15th of December the Assembly sent up a Message to the Council to acquaint them that having receiv'd no answer in respect to the Bill for the Support of the Government, which still remain'd under the Council's Consideration, they desired to be inform'd what that Board had done therein, as the House was sitting at a great Expence to the publick, and had then nothing else before them.

To which Message the Council answer'd that Affidavits & Evidences shewing a traiterous Conspiracy within the Province against His Majesty's Crown and Dignity had been laid before the Assembly; That Proofs were also before them that numbers of men stood indicted & accused of High Treason in levying War against the King, did at that very time go publickly abt the Province in open Contempt of the Royal Authority, exciting His Majesty's Subjects to Rebellion & Treason. That Proofs had also been laid before them that all the many Endeavours of the Government to put an end to the traiterous practices of those bold daring People, had prov'd ineffectual, and that there were then before them two several Messages from the Council demanding a Conference upon those important Subjects.

That if these things were nothing in the Eyes of the Assembly, they were sorry for it, but declared that they thought them of such Importance to the Peace & Safety of the Province, & to its just Dependance on the Crown of Britain, that they could not, consistent with the Oaths they had taken to bear Faith and true

Allegiance to His Majesty and to defend Him to the utmost of their Power against all traiterous Conspiracies & Attempts whatsoever which shall be made against His Person Crown or Dignity, & to do their utmost Endeavours to disclose & make known to His Majesty all Treasons & traiterous Conspiracies which they knew to be against him, they could not, they said, consistent with the said Oaths, their Duty to His Majesty and the Trust reposed in them, pass these matters over in silence or suffer themselves to be diverted from doing anything in their Power without delay for putting an End to those unhappy disturbances & Villanies; And that they therefore did again insist on categorical Answers to their said Messages on the Subject matter aforesaid.

On the 16th of December M^r Morris and M^r Antill, who had been appointed by the Council to inspect the Journals of the Assembly, and to report what they had done in relation to the Traitors & Rioters, and to the Messages from the Council demanding Conferences on these matters, reported that they had inspected the said Journals, and found therein two entries to the following purport.

That on Wednesday the 7th of December a motion had been made and the question put whether the House thought it necessary to make a Law for the more effectual bringing to Justice the Rioters and Disturbers of the publick peace of the Province, and that it pass'd in the Negative, Nays 15, Yeas 3. But that the Nays were nevertheless of Opinion that the Laws in being ought to be put in Execution against the said Rioters, and when their defect should appear to the House, that such other as might be thought necessary should then be provided.

That by the other Entry it appear'd that on Thursday the 15th of December, the Council's Message of the preceding Tuesday had been read a second time, and

consider'd by the House of Assembly, who came to the following Resolutions,

"That the said Message contain'd divers insinuations
"grounded on Suggestions only, reflecting injuriously
"on the Sentiments & Proceedings of the Assembly."

"That the Council's assuming a Power therein of
"directing the methods of raising money was a mani-
"fest Infringement on the Rights & Privileges of the
"Assembly."

"That the Assembly had a Right to enjoy their own
"Sentiments in all Matters & things that should come
"before them, without being accountable to or cen-
"sured by the Council for the same."

"That to continue sitting (after the Session is near
"rising) to maintain a Controversy with the Council
"would be very expensive to the Colony, and that
"therefore the House of Assembly would not at that
"time give any other Answer to the said Message."

A Copy of the above Resolutions was also deliver'd to the Council by M' Vanmiddlesworth and M' Leaming together with a Message acquainting the Council that the Assembly thought themselves as loyal Subjects to King George the second as any of their Board, notwithstanding their Sentiments remain'd the same as they were when they came to the aforesaid Resolutions, and that the Council need expect no other Answer at that time from the House of Assembly.

The Council having taken into Consideration the said Resolutions and Message were unanimously of Opinion that they amounted to an absolute Refusal to do anything at that time against the Traitors & Rioters, and to a Refusal to confer with them on those Subjects.

They therefore came to the following unanimous Resolutions,

That the Refusal of the House of Assembly of the Conferences requested on the subject Matters of the

Traitors & Rioters was a breach of that Harmony which ought always to subsist between the Branches of the Legislature. That the Council was of Opinion that the House of Assembly in refusing to do anything at that time to strengthen the hands of His Majesty's Government to put the Laws in Execution was a Neglect of the Duty they ow'd to their Sovereign, manifestly tending to encourage the Traitors & Rioters within the Province to go on in their treasonable designs against His Majesty's Government.

That the not putting a Stop these publick Disorders, was leaving His Majesty's Authority & Government exposed to the Sights and Contempts of a Sett of Traitors and Rioters, and the Lives and Properties of the people of the Province a prey to an insolent and rebellious Mob.

That it was the indispensable Duty of the Members of His Majesty's Council agreeable to the Trust reposed in them, to lay a true State of the unhappy and deplorable Condition of the Province before His Majesty & his Ministers, that he might take such measures for restoring & supporting his Authority & Government, for protecting his faithfull Subjects, and for securing the Dependence of the Province of New Jersey upon the Crown of Britain, as he in his great Wisdom & Justice should think fit.

M^r Chief Justice Morris, M^r Kemble, and M^r Leonard having been order'd to wait on his Excellency, to acquaint him with the Council's intentions as to representing the State of the Province to His Majesty & his Ministers, & to know if his Excellency would be pleased to join with them in such Representation reported that His Excellency had been pleased to declare himself very ready to join with the Council in anything reasonable, after he had perused the Papers: Whereupon the Council then present came to a Resolution to meet at Burlington on the Thursday follow-

ing, in order to apply to His Excell'y to join with them in such a Representation as should be thought proper for the purpose aforesaid

The Council then order'd M' Hude to acquaint the House of Assembly, that having particularly consider'd their Resolves of the 15th of December, they had, in answer thereto, unanimously come to the following resolutions, viz'

That it was the Opinion of the Council, that the Message mention'd in the said Resolves contain'd no Insinuations or Suggestions, that clear Proofs had appear'd before both Houses of all the matters therein suggested; But nevertheless if the House of Assembly would point out anything which could not be supported by those Proofs, the Council would be ready to make all the Satisfaction to that House, which the nature of the King [thing *t*] required.

That the Council had not, in their said Message assumed a Power of directing the methods of raising money, nor infringed any Rights or Privileges of the Assembly.

That it was the Right of the Council to advise & propose as to the Methods of raising money, and to agree or disagree to any Methods that the Assembly should resolve on for that purpose.

That the Council had no ways call'd in question the Rights of the House of Assembly to enjoy their own Sentiments nor had they claim'd a Right to call them to account for the same.

That the Council had a Right to declare their Sentiments, when they conceiv'd it proper & necessary, upon any Proceedings of the House of Assembly, and more especially when they conceiv'd the Constitution & Dependance of the Province on the Crown of Britain to be in danger.

M^r Johnstone then acquainted the Council that having had some Conversation with his Excellency as to

the time of meeting at Burlington to join in a Representation to his Majesty & his Ministers (which was soon after made by them and transmitted to his Grace the Duke of Bedford, in order to be laid before His Majesty) His Excell'y had desired him to acquaint the Council, that he should want a much longer time to consider the several proofs of the matters in question, than what they had proposed, & that he thought it for His Majesty's Service and the good of the Province, once more to try another Sessions of Assembly, before he join'd in any Representations; & accordingly prorogued the Assembly to the 15th of February.

As to the Governor's Pretence for not joining with the Council in this Representation to His Majesty of the State of the Province, it must appear very extraordinary when it is consider'd that he himself laid the proofs, which he asserted he wanted to consider, before the Assembly on the 24th of Novem^r 1748, from whence it may be reasonably supposed that his earnest Recommendations to the Assembly were only to amuse the Council and His Majesty's innocent and well disposed Subjects, with a vain hope of Assistance, which, it was easy to perceive from the whole Tenor of the Assembly's Conduct, they would never grant, and of which there fore it was his Duty to have made Representations to His Majesty.

Thus was the Assembly dismiss'd by the Governor without coming to any Resolution or taking any Measures to enable the Governor to suppress these dangerous Disturbances in the Province; the unhappy Consequences of which were, that the Rioters continued to meet in great Bodies, and under the Direction of Amos Roberts their Ringleader committed daily Acts of Violence & Oppression upon His Majesty's Subjects unable to resist them, and they had carried their pretence of Indian Right so far as to make large purchases of land from them tho' expressly contrary to Law, & His Maj-

esty's Instructions, threatening to pull down the Goals, if any of their Associates were committed thither.

On the of Jan'y 1748-9 the Governor dissolv'd the Assembly, and issued Writs for calling a new one which met on the 20th of February following, when the Governor in the Speech he made to the Council and them upon that occasion, represented to them that, tho' he was pleas'd with the Steps which had been taken by the Legislature the last Session, yet as they were found to be ineffectual, he had for that reason dissolv'd the Assembly, hoping to see better Agreement between the new Assembly & the Council, and recommended to the Assembly to grant money for defraying the Charge of maintaining the Goals, and to consider what further Laws might be necessary to suppress the Insolence of the Rioters. In answer to this Speech, the Council in their Address to the Governor on the 4th of March, express their Approbation of what he had done, and their readiness to join in any Measures to put a stop to the Riots, but that if the Assembly would not join with them, that the Governor would testify his Duty in representing the Affair to His Majesty, in which they would heartily concur with him. But so far was the new Assembly from giving the least hopes of a change of Temper, and of their Concurrence in any measures to suppress the Riots, that in their Address to the Governor in answer his Speech, they, after censuring him, for calling them together at that time, represented that the Circumstances of the Province would not admit of their raising money for guarding the Goals, but they would consider what further Laws might be necessary for suppressing the Riots, which they said were principally occasion'd by private Controversies about Titles of Land; and so ready were they to enter into a dispute & disagreement with His Majesty's Council, that they refused an Amendment made by them to a Bill which

the Assembly had sent up, for settling the Quotas of the several Counties, without which no Taxes could be rais'd, tho' such Amendment was made in consequence of a positive Instruction from the Crown, & absolutely refused to enter into a Conference with the Council, upon it.

On the 16th of March 1749 the Governor answer'd the above mention'd Address of the Assembly, strongly pressing them to do what was necessary for the Peace of the Province, and representing to them, that if they did not, they might justly be deem'd Accessaries with the Rioters.

On the day that the Governor answer'd the Assembly's Address, a great Number of Persons, who had been concern'd in Riots, petition'd the Assembly that they would apply to the Governor for another Act of Grace, on the mildest Terms, and at the same time two Persons, setting forth they were impower'd by the Majority of People claiming Lands under Indian Purchases before the year 1703, deliver'd to the House a Proposal, for having one or two Trials of their Titles, by disinterested Judges, which proposal they had deliver'd to Mess^{rs} Alexander and Morris, who had return'd for Answer, that they desired a meeting with them at the next supreme Court at Perth Amboy, when they would advise with their Counsel thereupon.

The above mention'd Proposal of the Rioters is represented by the Council as a Plot laid, as they suppose, in revenge for the vigorous measures taken by Mess^{rs} Alexander & Morris for bringing the Affairs of these Riots to a Conclusion; They suppose also that the Assembly thought they had laid these Gentlemen under an inextricable dilemma, for, if they refused the Proposals, then were *they* to be esteem'd the Cause of the Continuance of the Riots and all the ill Consequences of the Riots to the Province were to be laid at their door, and they would thereby be made horrible

to the People. If they accepted the Offer in these Terms proposed, it would be owning that the Continuance of the Riots depended on that Trial, and consequently no need of the King's Interposition, till that Tryal was over, which they could find Pretences enough readily to delay, or if push'd to a Tryal, there was room left on the Rioter's part to push for a gen' Verdict, as a great Majority of the people at present are Favourers of the Rioters, it would be impossible to get any struck Jury, but the Majority of them would be such.

But however so far were these Gentlemen from rejecting the above Proposal, that on the 10th of April 1749, they wrote to the two Persons by whom it was sign'd, acquainting them with the former Proposals they had made to the Rioters for a Tryal of Title, setting forth the Untruth of their being always ready, & declaring they were ready to joyn issue in the Action they had heretofore brought, as also to give Security, and do every other thing on their Parts as then proposed, declaring at the same time they did it in Compliance with the Opinion of the Assembly.

Upon this Proposal five of the Rioters at Newark sign'd a Paper offering Security to stand Tryal, pursuant to their Proposal of the 10th of March, but producing no Powers for such purpose, Mess^{rs} Alexander & Morris declared that it was not safe for them to enter into any Bonds or Security till they the Rioters produced their necessary Powers, but if they could obtain proper Power from the persons concern'd, they should be ready to treat with them. This Answer was deliver'd to one of the Persons who sign'd the above mention'd Paper, but no Answer appears to have been given thereto.

On the 21st of March the Assembly sent a Message to the Governor, acquainting him with the above Petition and Proposal, and praying him once more to

extend His Majesty's pardon to the Rioters, to which the Governor answer'd that he would do all in his Power to restore the Peace of the Colony in joining with the other Branches of the Legislature in anything they should think proper.

At the same time the Assembly sent a Message to the Council to acquaint them with the Application they had made to the Governor, and to desire a Conference thereupon, to which the Council answer'd, that as the granting a Pardon to the Rioters was solely a Prerogative of the Crown, entrusted with His Excellency the Gov^r they did not think it proper to enter into a Conference upon a matter they had no Right to intermeddle with, but they would willingly join the Assembly in any Measures for restoring the publick Peace; and receive any proposals for that purpose, and accordingly appointed a Committee to confer with a Committee of the Assembly for that purpose.

On the 23^d of March the Committee of Council appointed to confer with a Committee of the Assembly made a Report to the House of what was done therein, by which it appears that the Assembly's Committee made the following Proposal that if the Governor would grant another Act of Pardon to the Rioters, the Council should concur with the Assembly in passing an Act for staying of all Process concerning Titles of Land and executing Writs of Possession, but they would not come into any other Measures or make any other Proposal for suppressing those Riots, tho' earnestly pressed to it by the Council, so that the Conference broke up, without coming to any Agreement.

On the 25th of March the Assembly sent a Message to the Governor in answer to his second Speech to them, setting forth that they were convinced that the height the Riots had arose to was not owing to neglect of former Assemblies, but on the contrary were always discountenanced by them,

That the present Circumstances of the Province would not admit of their raising money to guard the Goals.

And that if the Cause of the Riots was remov'd, which they hoped might be, if the Proposal of the Rioters was accepted, the Goals would be sufficient to hold Criminals without the Charge of guarding them still refusing to do anything for suppressing the Rioters, but recommending to the Governor to pardon them, at the same time the Assembly desired to be adjourned & were accordingly adjourn'd to the 1st of May, and this notwithstanding the Council had receiv'd Information, by Affidavits laid before him a few days before, that the Rioters were preparing to assemble in order, as they gave out, to shew the Government that the Mob party was the strongest.

The Council finding that the Assembly could not be brought into any Measures for putting an End to these Disturbances, but rather did many things in their Favour, and the Assembly being also adjourned to the 1st of May, they came to a Resolution to represent the same to His Majesty's Ministers, which they accordingly did in a Letter to His Grace the Duke of Bedford, dated the 28th of March 1749, a Copy whereof they likewise transmitted to this Board.

The Assembly still refusing to afford Aid to the Governm^t the Rioters continued their unlawfull practices, & on the 23^d of May 1749, a Riot was committed in the County of Bergen, when the Fences of one Corsparies Pryer were pull'd up & cut down. Soon after which, viz^t in the month of June 1749, a Scheme was form'd by the Traitors, Rioters, and their Friends to have Courts held in the County of Essex for the Tryal of those persons that were accus'd of Treason or Riots, well knowing that impartial Juries could not be had in the said Counties, and with intention to have the several Criminals acquitted, and to this End, application

was made to M^r Alexander one of the Council & M^r Morris Chief Justice and one of the Council to know if they would advise the issuing a Commission for that purpose; to which it was answer'd by M^r Alexander that he thought it dangerous for any Councillor to advise such a Commission after the Resolves of the Council in December 1748, as an impartial Jury could not be got in that County, and if such could be had and any of the Traitors were convicted, the Rioters would never suffer a Judgment to be executed. On the night of the 15th of July 1749, the Rioters broke open the Goal of the County of Essex, & took from thence Aron Ball & Theophilus Burwell, who stood committed for high Treason, and set them at Liberty.

On the 25th of September 1749, the General Assembly met at Perth Amboy and on the 28th the Governor in a Speech to them strongly recommended the putting a Stop to the Disturbances, telling them that they had been deaf to all he could say to them on that head; On the 13th & 17th of October 1749, sundry Affidavits, Examinations, & Letters were laid before the Council, by which it appears that the Sheriff of the County of Somerset having return'd on the Grand Jury one of those indicted for Treason, He was by the Court dismiss'd from the Grand Jury, and order'd to be committed, but the Sheriff & his Officers refused to take him into Custody, but suffer'd him to go away.—This matter was by the Council laid before the Governor. By the said Depositions it further appears, that the Rioters were so far from having any inclination to return to their Duty, that tho' they applied to the Justices & Freeholders chosen for the County of Essex to intercede with the Governor for a Commission of Oyer & Terminer, yet they refused to sign a Petition promising Submission to the Court; And that about one third of the People of the County of Essex are Rioters and many more Favourers of them, that three fifths

of the Rioters hold their Lands by Surveys & Patents under the Proprietors, that one other fifth had no land at all, nor any Claim to any either by Indian purchase or Proprietary Title, and that this fifth do the greatest Mischief, by destroying the Timber upon the Lands of others, and get their living chiefly by the Plunder of other men's Estates, That of the remaining fifth part two thirds set down on lands without any Title or leave from anybody, and lately, soon [some] before or since the rioting began, have acquired Indian deeds; And that not one third part of the said remaining fifth part settled originally on pretence of Indian deeds; It further appears that there is scarcely a man in the County of Essex but what is related by Blood or Marriage to some one or other of the Rioters.

Soon after the Meeting of the Assembly on the 25th of September 1749 the Scheme for trying and acquitting the Traitors in the County of Essex was renew'd, and the Assembly took part in the Scheme, as will appear by what follows.

By the Examination laid before the Council on the 17th of October 1749 it appears, That Burwell & Ball, the two Prisoners mention'd to be rescued from Essex Goal, were persuaded to return to their Confinement, and petition for a Tryal, and were told that it was the desire of the Assembly that they should do so; It also appears that a Meeting was had at the House of Joseph Roberts on the 6th of October, when the said Burwell & Ball, with others of the Rioters and Joseph Camp a Member of the Assembly were present; That the said Burwell & Ball then sign'd three Petitions of the Governor & Council & Assembly praying that they might have their Tryals.

By the Minutes of Council of the 17th of October 1749, it appears that Joseph Camp, a Member of the Assembly, brought a Petition from the said Ball and Burwell to the Council, which he acknowledg'd to have receiv'd from them they not being in Goal.

On the 10th of October 1749 a Petition of Theophilus Burwell and Aron Ball was read in the House of Assembly setting forth that they were committed to the Goal of the County of Essex on a charge of Treason, and having lain there near three months & having no hopes of coming to a Tryal, it induced them to escape from their Confinement through the Aid of others, But being convinced that such escapes were illegal and being willing to take their Tryal, they had submitted themselves to confinement again, and praying the House to introduce them so far into His Excellency's Favour as for them to have an immediate Tryal; upon the second reading of this Petition on the 4th of October, the House of Assembly order'd two of their Members (of which the said Joseph Camp was one) to wait on the Governor and acquaint him that the House humbly pray'd him to issue a Commission for holding the Court Oyer & Terminer and general Goal Delivery in the County of Essex, for trying the Prisoners confin'd there for High Treason and other criminals in the said County.

The Governor having on the 12th & 14th of October laid before the Council a Petition to him from the said Burwell and Ball of the same purport of that presented to the Assembly, the said Message from the Assembly and the 40th Article of his Majesty's Instructions, and desired their Advice upon the same,

They on the 20th of the same Month deliver'd their Advice and Opinion in writing signed by six of them in the Substance following.

That having consider'd the several Papers referr'd to them by the Governor they beg'd leave to lay before him for his Consideration, the resolves of the Council of the 12th of December then last, which were communicated to the Assembly, and appear in their printed Minutes of the 13th of the same month, they also assure the Governor that they were far from having any rea-

son to change their Opinion express'd in those Resolves, but many things to confirm them in it, such as the growth of the Number of the Rioters, naturally to be expected from the Assiduity of their Heads, and the Encouragement given them by the Refusal of the then Assembly to do anything against them, and by the last & present Sessions of Assembly absolutely refusing and declining to raise any money for guarding the Goals, or to bring them to Tryal in other Counties, where fair and impartial Juries could be had.

That the Growth of the Rioters was also naturally to be expected from the continuing to plunder other mens Estates, and the hopes of a share of the Booty, would naturally induce all the Vagabonds of that and the neighbouring Provinces to inlist with them and sign their Combinations.

The Council further observe that from the Depositions laid before the Council on the 17th it was easy to see the improbability that two lawful Juries could be found in the County of Essex, and upon the whole they humbly advis'd the Governor not to grant the Commission requested until His Majesty's Pleasure was known.

On the 14th of October 1749 the House of Assembly made a long Address to the Governor in answer to his Speech of the 28th of September, wherein they attempt to justify themselves & former Assembly's for not acting with Vigour against the Rioters. But make no promises of doing anything, but persuading the Rioters to return to their Duty; which they say they have some reason to expect will be effected.

The Council having made some Amendments to the Bill sent up by the House of Assembly for the Support of the Government the Assembly on the 18. of October 1749, resolv'd that the Council had no right to amend any money Bill whatever, & therefore rejected the said Amendments, & sent the Council a Message that they

look'd upon the mending the said Bill to be a manifest Infringement upon the rights and privileges of the House of Assembly & those they represented, and having printed the Amendments in their Notes of the 20th of October, they on the same day sent a Message to the Governor acquainting him that the Council had proceeded in such manner as to obstruct the passing the Bill for support of Government, which put it out of their Power to do it at that time, without giving up the Liberties of the People, & therefore desire the Governor would be pleased to dismiss them; And the Gov^r accordingly on the same day prorogued them to the 30th of November, without their having done any one thing or even proposed anything to put an End to the Disorders of the Province.

On the 9th of November last a Number of the Rioters came together to the House of one Abraham Phillips and having by threats and abuses driven him and his family from the House, they in the night broke down the door, took off part of the Roof of the House, remov'd his Goods out of doors & burnt some Stacks of Grain & Flax, firing several Guns while they were about it. In Consequence of this Riot the Governor, on the 26th of Jan'y last issued a Proclamation requiring all Officers Civil & Military to be vigilant in apprehending all persons concern'd in the said Riots and also commanding the Sheriffs and Officers of Militia upon Notice of any Riot to raise as many men as should be necessary to apprehend all Persons concern'd and convey them to the Goals of their respective Counties.

Notwithstanding which it further appears by a Deposition upon Oath of one John Hacket that on the 2^d of Feb'y last a number of Persons arm'd with Clubs did attack the said Hacket & some other Persons employ'd by Mess^{rs} Allen & Turner to cut down Wood on a Tract of Land purchas'd by the said Allen & Turner

of the Society, alledging that the Land belong'd to them as the oldest Inhabitants. That upon their being secured & refusing to give Security according to Law, they were committed to Goal, declaring they expected to be rescued by the Mob.

On the 13th of February the Council and Assembly met according to Prorogation and the next day the Governor made a Speech to them, acquainting them with the aforementioned Riots & the Proclamation he had issued, recommending unanimity betwixt the two Branches of the Legislature, as the only means of restoring Peace to the Province.

On the 22^d following the Assembly address'd the Governor in answer to his Speech, setting forth that if there had been any Contest betwixt the Branches of the Legislature, 'twas owing to the Council's Infringement of their Liberties by making Amendments to the Bill for Support of Government. That as to the Riots committed, the Offenders were under legal Prosecution; which was the only Measure to be pursued in Cases of the like Nature, and that if His Excellency had issued a Commission of Oyer and Terminer for the Tryall of those under Confinement in the Goal of the County of Essex, according to their Request, it might have and still may, if pursued, prove beneficial and conducive to Suppressing the Spirit of Tumult.

The same day the Bill for Support of Government was read with the Amendment made by the Council, which the Assembly unanimously rejected, and the Council adhering to their Amendment, the Session past without anything being done towards restoring the Peace of the Province, & putting a Stop to the dangerous Spirit of Riot and Rebellion, which has prevail'd for near five years—

Such appears to be the State of the Rise & Progress of the Riots which have been committed in this Province, and of the Proceedings of the Legislature of the

Province thereupon, from the Letters and other papers which have been transmitted to Us by His Majesty's late Gov^r of this Province and by the Council, after his Death, and also from a State of Facts drawn up by the Council. But it must be observ'd that altho' M^r Belcher, the present Governor arriv'd in this Province at a time when these Insurrections were carried on with the greatest Violence, when the Rioters there broke out into open Rebellion and the Infection had already spread into the neighbouring Province of New York, yet he did not think proper to represent this Affair to His Majesty, tho' strongly urged by the Council, to join with them for that purpose. He did however in his Letters to Us dated the 27. of June 1747 take Notice of the Province being in great Confusion by Riots committed by a Set of seditious Persons who broke open the King's Goals and rescued Prisoners confined therein, but transmitted no Papers relative thereto, and in a Letter dated the 22^d April 1748, observes that things carried the Countenance of Quiet and good Order. In his Letters to Us dated the 22^d of April, the 24. of Oct^r & 27. of November last, he again represents that the Province was in great Confusion and Disorder, and that the Assembly had refused to grant Assistance to the Government, and would enter into no Measures for suppressing the Rioters, but as with these Letters he does not transmit any Proofs relative thereto, it would have been impossible to have known the true State of this Affair, had not the Council been more careful in this particular.

That his Dependence upon the Assembly has been the Motive of his Conduct may be hard to say, but very easy to believe, when considered that he has readily come into every favourable Measure proposed by them, but however this may be, the Fact is that by the Obstinacy of the Assembly on one hand, in whose Power it was to have suppress'd the Means of Riots in their

Infancy, and the want of Power in the Governor and Council on the other. His Majesty's Province of New Jersey is at Present in open Rebellion, and unless some speedy & effectual Measures are soon taken, His Majesty's Government, Laws & Authority not only in this but in the neighbouring Provinces, whose Inhabitants for the most part are but too well inclined to receive the Infection, will in all probability be absolutely destroy'd.

The Members of His Majesty's Council, in order to give the most impartial Account of this Affair, have transmitted the several Papers which have been publish'd by the Rioters in Assertion or Explanation of their Pretence for such violent Outrage, but as those Papers are either ignorantly or designedly very dark & unintelligible, it may not be improper to state what their pretence appears to be, of which the following is the best Account that can be given, viz^t

That in 1663 King Charles the 2^d granted New York, New Jersey & other Territories to the Duke of York, who immediately sent over a Deputy Governor thither, that the Governor granted a License to some persons to purchase Lands of the Indians, under which they accordingly purchased a Tract since call'd Elizabeth Town, but that before the date of such License the Duke of York had actually sold their Province of New Jersey, wherein Elizabeth Town was seated, to Lord Berkeley and S^r George Carteret, by which means those Persons were disappointed in strict law of their purchase.

By a Bill filed in the Court of Chancery of that Province by the Proprietors in the year 1746, relative to this question it appears that the Numbers of Persons interested in that License to purchase were 80 and no more, & supposing they had been dispossess'd by the Duke of York's Grantees, it must have been in the year 1664, and before any Improvement could have

been made, but it appears from the said Bill in Chancery, that every one of those eighty persons, one only excepted, did take out Grants & Confirmations for their Lands from the Proprietors on the usual Terms others did, and paid the usual Quit Rent, so that this Pretence, which might have had some Equity in it, during the short time it existed, is only a Piece of Art of the Rioters, and very absurd to apply that single instance to Places where Riots have been committed at thirty or forty Miles distance on land not under the same Circumstances. Besides as they have publicly given out that the Right to the Soil in America belongs to the Native Indians and not to the Crown, this seems to be only a Shadow of Pretence to colour their evil Intention of throwing of their Tenure under and Allegiance to the Crown, & absolutely destroying His Majesty's Right and Authority in those Parts. And supposing these Rioters had suffer'd any Hardships from the Proprietors, and that the said Proprietors might have permitted them under imaginary Titles from the Indians to settle and improve the Lands for a length of time, and then by Law unconscionably dispossess'd them, yet that could not by any means justify an open Rebellion against His Majesty; But very far otherwise is the Case, for the Proprietors absolutely deny any such Injustice, and it appears that these Rioters are not persons who under pretence of any Grants have set down upon clear'd & improv'd Lands, but are a Set of Freebooters who enter upon any lands, & cut down and destroy the timber, tho' the Lands have been ever so long granted to others under the King's Title.

As to the Laws pass'd in this Province, during the Course of these Riots & Disorders, and on occasion thereof, and which we have already in a former part of Our Report fully stated, We must further acquaint your Lordships that We did refer the same to His

Majesty's Attorney & Solicitor General for their Opinion thereupon, who have represented to Us That as to the Act for pardon to the Persons guilty of the late Insurrections, which by the Act itself appears to have been thought to amount to high Treason in some of the Parties, it is a Matter that must rest entirely in His Majesty's Royal Breast, weighing all the Circumstances and Consequences that may be foreseen or apprehended. But that it appear'd to them very extraordinary that in a Matter of so great Moment, in which the Peace of the whole Province had been disturb'd, and the Conduct of the Rioters seem'd to have been no less than a Rebellion, and the only Alleviation so much as insinuated as to any of the Criminals is their being artfully misled, a Pardon of all should be granted, without excepting even those that misled the rest, or leaving any one to the Justice of the Law besides those who have been actually indicted of Treason, and their Tryal suspended.

That as to the Act for avoiding Actions of Slander, and for Stay of Proceedings in other Civil Actions, they did not know enough of the Ground of these Actions of Slander, to form any Judgment upon that part of it, much less to see how that is so connected with the late Insurrections as to make those any Reason for such a Suspension.

With regard to the other part of the Act relating to the Stay of other Civil Actions against the late Rioters, they did not see upon what Reason it could be founded that His Majesty's Subjects who had been so grossly injured in their Property should be delay'd in the Recovery of that Satisfaction which the Law gives them.

That as to the Act for suppressing Riots, &c, it appear'd to them to have a Tendency not to suppress but encourage Riots, as it inflicts a much less Punishment than what the Law at present does; the Penalty

of Ten pounds and their own Security in one hundred Pounds for good Behaviour for three years being by no means adequate to the Crime.

We must further humbly beg Leave to represent to your Lordships that M^r Morris, Chief Justice & one of His Majesty's Council in this Province, did, when the Act for pardoning the Persons guilty of these Insurrections was laid before the Council for their Assent, strongly represent to them the Illegality & Inexpediency of such an Act, and that it was contrary to the Powers & Directions of His Majesty's Commission to the Governor of the said Province.

That there was Power and Strength enough in the Government to put the Laws in Execution, & that the Governor, with the Council & Assembly could, if they would, presently put a Stop to the Disorders, but that while there was a want of Inclination to do it, all the mild Measures proposed would be ineffectual.

Upon the whole We are humbly of Opinion that the several aforementioned Laws should receive His Majesty's Disapprobation.

From the aforementioned State of Facts it fully appears that this Province is in a State of entire Disobedience to all Authority of Government & Law attended with Circumstances which manifest a Disposition to revolt from their Dependence upon the Crown of Great Britain.

The Rise or at least the Progress and Continuance of these Disorders is principally to be ascribed to the Weakness of the Government in this Province, arising from the unfortunate Circumstances under which every Governor there must labour in the Discharge of His Duty, being confin'd to the Alternative of either complying with every popular Measure for impairing the Authority of the Crown, or of being depriv'd of such a reasonable Provision as is not only necessary to the Support of the Dignity of his Office, but even to his own Subsistence

It seems therefore necessary to establish as a fundamental Principle, that as long as the Governor is so absolutely dependant upon the Assembly as he is at present, Order & good Government cannot be re-establish'd in this Province.

This being premis'd, several Methods have occur'd for the immediate extinguishing these Disturbances.

The most effectual Method seems to be the sending from hence a sufficient Military Force under the Direction of a Commander to be appointed for that Service. But if the Situation of the Province be not thought to require so strong a Remedy as this is; if it be objected that the Expence of it would at this time be too burthensome, or if it be apprehended that it might give such an Alarm as might be attended with very disagreeable Consequences,

The four Companies at New York may be sent under the Command of a Person authoriz'd by a special Commission for that purpose, or under the Command of a proper Governor of New Jersey, who shall be enabled to exert the Authority of the Crown and act freely & independently by having a competent Salary settled upon him at home.

But if Difficulties should attend the settling such a Salary upon the Governor of New Jersey, or if it be thought that the Weight of his Power and Authority, even tho' he should have such a Salary as may be judged an adequate Support for him, will not be so efficacious or so permanent as that of the Governor of New York, where four Companies are constantly establish'd: In such Case,

The Government of New Jersey may be re-united to the Government of New York, the respective Legislatures continuing distinct, as they were before 1738, and Orders sent to the said Governor to go to New Jersey with the four Companies or such a part of them as he shall judge to be sufficient for the reducing these rebellious Rioters to Obedience.

As no resources can be expected from the Province considering the Temper of the Assembly and the Dispositions of the People the three Methods above mention'd are all that have occur'd for the immediate Suppression of these Disorders,, and it must be added that whatever Plan shall be approv'd, the Person who shall be intrusted with the Execution thereof must be arm'd with proper Powers and Instructions for using Force, if necessary for granting Pardon and Indemnity to such of the Offenders as shall surrender themselves within a limitted Time, (such Pardon to contain proper Exceptions & Conditions) for bringing to Justice those who shall continue obstinate in Rebellion. and for restoring Vigour to the Laws, and in general he should be invested with all such Powers and Instructions as may be necessary for resettling the Government, & re-establishing good Order & Tranquillity in the Province.

For these Purposes many usefull Precedents have been found in Our Books, which happen to have been form'd upon a great Occasion of a like Nature, and upon much Deliberation in Council, a short abstract whereof is hereunto annex'd.

Since the finishing this Representation, We have receiv'd several Letters from M^r Belcher, the Governor of the Colony, representing the distress'd Condition of the said Colony on account of the Riots which have been committed therein, and the Disunion betwixt the Council & Assembly.

In a Letter to Us dated the 26th of December last, he acquaints Us that there is no money in the Treasury for any Use or Service whatsoever, and that the Spirit of rioting continues to be as much and as violent as ever. And in a Letter to Us dated the 26. of March, he acquaints Us that the Authors of the Riots last mention'd in the foregoing State, have been seiz'd and have given Bail to stand Tryal, yet that he is afraid

the Issue will prove but a weak Medicine in cure of the present distemper; That as to the publick Treasury it continued in the same State, in which there was not one shilling for the greatest Emergency whatsoever, that the Matter of the Rioters so spreads its Influence, and has so many Abettors as that all things of the Legislature seem'd to be stagnated by it, and till it is brought to an End, the Province he fear'd would get into greater Disorder and Confusion.

We must further acquaint your Lordships that soon after we had prepared the foregoing Representation upon the State of His Majesty's Province of New Jersey, in readiness to be laid before your Lordships, We receiv'd your Lordships Order of the 3^d of May last, directing Us to take into Consideration and report Our Opinion upon a Petition of the House of Representatives of this Colony, setting forth amongst other things that the Proprietors of the Eastern Division of the said Colony from the first Settlement thereof have survey'd patented and divided their Lands by Concessions amongst themselves, in such manner as that many Irregularities have ensued from thence, which have occasion'd Multitudes of Controversies and Law Suits about Titles and Boundaries of Lands—That the Inhabitants of the said Colony have hitherto fully demonstrated their Principles of Duty & Loyalty to the Government by supporting of Government to their best Ability, granting Aid in time of War when required by any Intimation of the Royal Pleasure, and by a ready Submission to the Laws of the Land, excepting of late some imprudent People have in a riotous manner obstructed the Course of legal Proceedings brought against them by their Antagonists touching some of these Controversy about Lands, & therefore humbly beseeching that His Majesty will be graciously pleas'd to continue to His loyal Subjects of that Colony His Royal Countenance in such manner as he in His Wisdom shall see meet.

In Obedience to this your Lordships Order, We have taken the said Petition into Our Consideration and have been attended by M^r Richard Partridge, Agent for the Assembly of the said Colony in support of the said Petition, and by M^r Paris, Solicitor in behalf of M^r Morris and M^r Alexander two of His Majesty's Council of the s^d Colony, and the rest of the Proprietors of the Eastern Division thereof, complain'd of in the said Petition.

M^r Partridge in support of the Petition laid before us an Address of the said House of Representatives to the Governor of the said Colony on the 14th of October last, and also a Message of the 17th of the same month, Copies whereof are hereunto annex'd, acquainting us at the same time that he had no Instructions from his Constituents to enter into a Discussion of the Merits of the said Petition, but only to leave these Papers,

Upon his declining in this manner to enter into the Merits of the Petition, We call'd upon him for His Instructions upon this head, whereupon he laid before Us two Letters to him, one dated the 27. of November, the other the 20th of December 1749 from M^r Richard Smith, one of the Members of the Assembly of the said Colony, directed to correspond with M^r Partridge, in which last Letter the said Petition was inclos'd, and which M^r Partridge alledged contain'd his Instructions.

In the first of these Letters, Copies whereof are hereunto annex'd, M^r Smith acquainted M^r Partridge that their Session was broke up, without any Laws, that they were now got to that pass that the Council had amended the Support Bill till they had spoil'd it and thereby prevented it passing, & that he could not think anything would be done until there was a Change of some of them.

In his Letter of the 20th of December, are these words, viz^t

" I now inclose two Sets of Votes, one Petition to

“the King, one Representation to the Board of Trade
“and a Copy of the Message and Abstract of the Ad-
“dress both drawn out fair & sign’d by the Clerk of
“the Assembly to be presented with the Petition to the
“King which the Assembly, thou wilt see by their
“Minutes depend upon thee to present—I had no Op-
“portunity of sending them sooner than by this Ves-
“sel Cap’ James, who is the first since Cap’ Meynard
“for London otherwise they would not have delay’d it
“till now. Thou urgest the raising of money to guard
“the Goals, which is a thing quite impracticable here,
“because of the general Outcry or Dislike to those
“called the Proprietors, they have, how justly I can’t
“say, gotten such a general Odium on their Names,
“that the People would not pay any Money to support
“their Schemes, that it would have been setting the
“Country by the Ears for the Legislature to have at-
“tempted the raising of money for that Service. . . .
“ Thou wilt observe what the Assembly
“have done relating to the rioting Affairs is in their
“own defence, not with any design to espouse the
“rioting Cause, neither do they desire thou wilt any
“further enter into that Affair than to save this Pro-
“vince and the Assembly of it from anything that
“may be charged on them to their Disadvantage for
“neglect which they have been charged with on that
“Account.”

M’ Paris acquainted Us that as M’ Partridge had not thought proper to enter into the Proof of the Allegation of the said Petition, he should only observe that this Petition was voted in the House of Representatives on the 19th of October last, and printed in the Votes of the same day, with an Intent to influence the Province & give a Spirit to the Rioters.

That however the Assembly did not think proper to transmit it to England until Decem’ following, & that it was not presented to His Majesty until the 4th of April

last, thereby hoping to delay such measures as might be determined here for putting a Stop to the Riots & Disorders of the Province.

That the Assembly have now transmitted over this Libel upon the faithful Servants of the Crown both living & dead, without any Evidence, in which they blame them for those Parts of their Conduct which have been most approv'd of here.

That as to what is alledged in the Petition that the Proprietors refused to determine the Matters in Contest by a few Tryals at Law, as the Nature of the thing would admit, but on the contrary discover'd a Disposition to harrass People by a multiplicity of Suits, he insisted that the said Proprietors did several times offer to put their Right in trial in the easiest way, for the Truth of which he referr'd to a Letter from David Ogden to James Alexander Esq^r one of the said Proprietors, dated the 3^d of March 1745, a Copy whereof is hereunto annex'd. The truth of which will further appear to your Lordships from several Facts set forth in the foregoing Representation of the state of this Colony.

Thus to what was alledged of an Amendment made by the Council to the Bill for setting the Quotas of the respective Counties, to which the Assembly could not consent; M^r Paris observ'd that the Governor of the said Colony being directed by His Instructions not to consent to any Act to lay any Tax upon unprofitable Lands, His Majesty's Council thought it their Duty in Obedience to the said Instructions to make the following Amendm^t in the said Bill, viz^t

It is hereby declared that nothing in this Act is meant or intended to break in upon the said Instructions "or to warrant the said Assessors to put any unprofitable Lands into the said List or Account of "Things to be tax'd." Which Amendment We find to be entred in the Journal of the Council on the 11. of March 1748.

That as to all other Facts stated in the said Petition, as also in the Address and Message presented by M^r Partridge, they are falsified by the several Papers which he had before presented to Us, relative to the Riots and Disorders in this Province, and that the Assembly in their Address own their having after two Years advised lenitive Measures.

Upon the whole We must observe to your Lordships That the sending over this Petition unsupported with any Evidence, appears to Us to be a further Proof of the bad Conduct of the Assembly of this Colony, an Insult upon the Crown, and an Injury to the Persons complain'd of therein.

All of which is most humbly submitted

DUNK HALIFAX

J. GRENVILLE

DUPPLIN

CHARLES TOWNSHEND

Whitehall June 1. 1750

*Correspondence relating to the Accidental killing of a
maid Servant of Colonel Ricketts, of Elizabeth-
town, by a shot from the Ship Greyhound.*

(From N Y Col Docs., Vol VI, pp. 571-5, 5-23-5.)

Captain Roddam to Chief Justice Delancey.

Sir

I am sorry for the unhappy accident by a shot from His Maj^{ty} ship the Greyhound as you or any other can be. I have ordered the officer who commanded on board at that time to be put under an arrest, that he may be brought to a tryall, according to the Laws and discipline of His Maj^{ty} navy, but I must complaine, that the Gunner's mate (as I am informed by the pur-

ser of the Greyhound) whom I sent on shore to give evidence at the Coroners inquest, is committed to Jail by your Warrent. This may affect the discipline, on Board of His Maj^{ty} ships and every officer's authority, in such a manner as You must be sensible of it; I must therefore desire, that he be immediately released, and if you or any other person, give me information of any offence that the mate has committed, he shall be brought to a tryall for the same according to the laws and rules of His Maj^{ty} navy, and for your further information I inclose a copy of a Clause in His Maj^{ty} Commission to the Governour of this Province relating to offences committed on board His Maj^{ty} ships of warr—I must, Sir, begg your answer speedily to this,
am Sir Your very humble servant

June the 8th 1750

ROB^t RODDAM

To the Hon^{ble} James Delancey Esq^r

The second letter I delivered to Justice Delancey his answer was that he could not deliver up the Gunner's mate upon a bear letter from the Captⁿ, that the man was committed regularly and would consider whither it was proper to give him an answer or not

JN^o LIGHTBURNE

June the 9th 1750 at 8 in the evening.

Chief Justice Delancey to Captain Roddam.

Sir

I received Your Letter Yesterday Evn^g and for your Information will acquaint you that upon complaint made to me by Coll: Ricketts, that as he was sailing in his pleasure boat with his wife and family, being between Nutten Island and the great Battery his maid servant was killed by a shott fired from on Board His Maj^{ty} ship Greyhound; and your Gunner's mate hav-

ing in his examination before the Coroner of this City and County confessed, that he fired the gun I thought myself obliged to sign a warrant to committ him to Jail, in doing this I am perswaded I discharged the duty of my office I am Sir

Your very humble servant

JAMES DELANCEY

New York 9th June 1750

To Rob^t Roddam Esq^r Captⁿ of H. M's Ship Greyhound

Captain Roddam to Chief Justice Delancey

Sir

Although I told your servant who deliver'd me your letter dated this day that itt required no answer, yet on perusal I observe your are of opinion you have acted consistent with your duty; so far from making any doubt, that your thoughts were such I believe itt. But sir, your warrant was issued and the Gunners' mate committed to Jail by virtue of that warrant, before I had the opportunity of informing you of the clause in His Maj^{ty}'s Commission to His Gover^r of this Province, therefore I must expect and demand that you deliver up to me the Gunners mate (who was then actually on board and in pay of His Maj^{ty}'s ship Greyhound) in order to his being tryed if charged with any crime committ'd on board His Maj^{ty}'s ships pursuant to the directions in the said clause in His Maj^{ty}'s Commission to His Governour, the articles of war and Statutes made for that purpose, for the observance of His Maj^{ty}'s navy—

ROB^t RODDAM

Greyhound New York June the 9th 1750.
To the Hon^{ble} James Delancey Esq^r

Chief Justice Delancey to Captain Robert Roddam.

Sir

I received your letter of the 9th inst at night, the next day was sunday and I could not see the Coroner till yesterday's evening: The morning being foul I did not go to town till late in afternoon; Upon my sending to the Coroners he show'd me the Inquisition taken before him, by which I find Your Gunners mate is charged with the murder of Elizth Stebben committed within the city and County of New York and therefore I cannot now comply with your demand to deliver up to you, your Gunner's mate but must lett him remain to be delivered by a due course of Law. I am sorry this accident has given you so much trouble, it is like to give me more, as it is a case of great consequence and requires great consideration, it shall meet with all the attention in every circumstance of it, that the case deserves from Sir

Your most humble servant
JAMES DELANCEY

New York 12th June 1750
To Rob^t Roddam Esq^r

Governor Clinton to the Duke of Bedford.

My Lord Duke

As a small vessel with a pendant flying was passing the Greyhound, with a brisk gale of wind, the Commanding officer on board (in the absence of the Captⁿ) endeavoured to bring her to, by firing two several shot, at some distance of time, the last of which unhappily killed a woman on board the Vessel. This made a great noise in the Town, of which the Faction endeavoured to take advantage to my prejudice, as Capⁿ Rod-

dam the Commander of the Greyhound, is my son in Law. A number of them met at a Tavern, where the heads of the Faction, have usually made their rendezvous, and M^r Chief Justice Delancey among them, where they stay'd the whole night, as I am informed, and I believe truly, to consult, how to make the best use of this incident for increasing and confirming their popularity. The Coroner's inquest being met, the next day Capt^r Roddam at their desire, ordered several of his men on shore to give such information as should be asked of them, that he had not the least inclination to screen the person, who gave the offence, from Justice, he immediately put the Lieutⁿ who commanded at that time under an arrest.

The Gunner's mate was one of them who went on shore, and informed the inquest (as I am told) that the Lieutⁿ pointed the Gun, and that he by the Lieuⁿ order, put the match to it. On which the inquest found the Gunner's mate guilty of willful murder; The Chief Justice committed him to Gaol, for murder, but before he had seen the Coroner's inquest, as appears by his letter to Capt^r Roddam of the 12th inst: Capt^r Roddam being informed of it, desired by three several letters that His Gunner's mate might be delivered up to him, that he being actually in His Maj^{ty}'s pay and service, if charged with any offence committed on board His Maj^{ty}'s ship, might be tryed according to the Laws and Statutes made for that purpose. Capt^r Roddam inclosed in his first letter, a copy (from the Records of this province) of a clause in his Maj^{ty}'s Commission to the Gov^r of this province whereby all offences, committed on board His Maj^{ty}'s ships, are exempted from the common Jurisdiction of this province, and directs in what manner they should be tryed, notwithstanding of which the Chief Justice refused to release or deliver up the Gunner's mate.

I have done nothing in this affair, than to order the

Attorney General to be served with a copy of this clause, and that it be printed in one of the news papers, to quiet the minds of the people, who were exasperated by the clamours of the Cabal.

This is a short and true account of the facts so far as they have come to my knowledge and on which I beg leave to make the inclosed observations.—I am with the greatest respect—

My Lord Duke

Your Graces most humble and
most obedient servant

G. CLINTON

Fort George in New York 12 June 1750
To His Grace the Duke of Bedford

Captain Roddam to Chief Justice Delancey.

Sir

As James Park my Gunner's mate committed to Gaol by your Warrant, on acc^t on the melancholy accident that happened sometime since by a shott from His Majesty's ship Greyhound under my command, M^r John How being at that time commanding Officer

* These Observations on the Chief Justice's behaviour, on account of a late unhappy accident, are printed at length on page 373 of Vol. VI, N. Y. Col. Docs. The following passages are the most pertinent to the subject. "It cannot be doubted but that His Majesty by his prerogative has power to declare the extent of all Jurisdiction in America, to fix the limits and bounds of them. The stream of Hudson's river is the limit of Jurisdiction between New York and New Jersey. The Greyhound was riding in the stream of that river when this accident happened by a shot from that ship. It is true however that Coll. Montgomerie, formerly Gov^r of this place, erected the Town of New York into a City and County, and extended their Jurisdiction to the West side of Hudson's river opposite to the Town which was afterwards confirmed to them by act of Assembly, but as the same clause was in Governor Montgomerie's Commission, exempting all offences committed on board His Majesty's ships. It is thought that no power of Jurisdiction granted by virtue of that Commission, can give cognizance of offences committed on the water, and on board of any of His Majesty's ships." . . . "I am persuaded that not the least evidence was or can be given that the Commanding Officer on board the Greyhound or any other person on board that ship had any malice or ill will to any person on board the vessel in which the woman was killed, but on the contrary

on board the said ship as my Lieut^t whom I immediately put under an arrest and have now sent on B^d M^r Mais-
toison Captⁿ of His Maj^{ty}s ship Hector (which is now
upon sailing for England) in order that he may take
his tryall according to the statutes and directions of
His Maj^{ty}s navy by which all H. M's ships are to be
Governed—For which reason I desire you will order
the said James Park to be delivered to me or my order,
that as he is charged in Your warr^t with murder com-
mitted on the water he may accordingly be sent home
to take his tryall likewise, pursuant to the articles of
war provided for the observance of His Maj^{ty}s Navy
Your speedy answer will oblige—Sir—

Your very humble servant

June 19. 1750

ROBT RODDAM

To Chief Justice Delancey.

Attorney General Bradley to Captain Roddam.

Sir

I receiv'd Yours of the 21st ins^t: but confess little ex-
pected any letter on that subject after my answer to
your first; but as you now demand an answer in writ-
ing, that you may acquaint the Lords Commissioners
of His Maj^{ty}s navy of my conduct in this affair, I shall
state the facts as they are come to my knowledge in
order to give you a more distinct answer to what you
demand. James Parks your Gunner's mate by order
of your Lieut^t fired a swivle gun from your ship at a
small pleasure boat crossing the Bay, which killed a
young girl in the boat: the corpse was brought ashore

a very great friendship and intimacy between the Gentleman to whom the vessel
belonged and Mr. How the Commanding officer then on board, as I am informed,
and as to the Gunners mate It appears from the evidence given on the Coroners
Inquest, that as he did not point the gun, he could not tell how near or far from
that vessel it was pointed, and that he put the match to it, after he had received his
superior officers command for so doing "

in this City and the Coroner supposing the fact to have been done within the body of the City and County of New York according as the bounds of the City as described in the Charter granted to this City by His Maj^{ty} letter patent which are confirmed by act of Assembly, summoned a Jury which sate on the body, and by that inquest the fact is found to be murder committed within the body of the City and County of New York, and James Parks guilty thereof; and I am told James Parks by your order was sent ashore from the ship, examined by the Coroner, and being accused of murder as above, was committed to Gaol by the Chief Justice of this Province. Whether these facts are true I can't pretend to say any further than that James Parks is found guilty of murder by the Coroners inquest as above, but have stated them as they have been reported to me and which if you give me occasion I must represent to the Lords of the Admiralty accordingly. You desire by your first letter to know whether I have demanded James Parks of the Chief Justice, and if I have not, why I have not. Whether an Attorney General of this province is obliged to answer those questions I'm certain is no matter of doubt, but waving that I answer, I have not demanded him, and the reasons why I have not is: because I know no power or right I have to demand him and might Justly expect a severe censure from the Chief Justice for my impertinence and arrogance in matters of Law should I do it.

Whether the clause in his Excell^{ty} Commission you refer to in your letter is sufficient to oust the Supream Court of this province of Jurisdiction, in this case of M^r Parks's is not my province to determine: and God forbid but that he should have all the priviledges the Law allows him, especially in a matter of blood which I doubt not he will have, if he has any thing to plead that can be of advantage to him in any way what soever.

I hope Sir, this being the Case you will not make it necessary for me to Justify my conduct to their Lordships in this affair

And am your very humble servant

July 23rd 1750

R BRADLEY

To Captⁿ Roddam Command^r of H. Majesty's ship Greyhound—

Captain Roddam to Governor Clinton.

May it please Your Excellency

As James Park Gunner's mate of His Maj^{ty}'s ship Greyhound under my command was committed to the common gaol of this City by Chief Justice De Lancey contrary to a Clause in your Commission, I think my duty to inform Your Excell^{cy} that he still remains there notwithstanding I have applyed to the chief Justice by lett^r several times for his discharge—I likewise applyed to M^r Bradley his Maj^{ty}'s Attorney General of this province, who's duty I thought was to support His Maj^{ty}'s prerogative in all cases but by his answers to me copys of which I here inclose you'll Judge whether M^r Bradley acts as he should in this case, Your Excell^{cy} having long served in his Maj^{ty}'s Navy in general, I leave this to Your Excellency's consideration I am with all due deference and respect—Your Excellency's

most humble and most obedient

humble servant

July the 26th 1750

R RODDAM

To Governor Clinton

Governor Clinton to Captain Roddam.

Sir

July 27th 1750 Fort George

Your letter of yesterday's date I received in which you make application to me in the affair of James Park your Gunner's mate; I have this day sent a copy

of it to the Attorney General, and at the same time told him, that as the case concerned H. Maj^r's service, I thought it his duty to assist and advise you what steps were proper to be taken, which he has promised to comply with; but not withstanding of this, if he should not be able by his age and infirmities or otherwise to do this effectually and properly, it is my opinion, that you should apply to some other Lawyer for his Assistance, as the affair strikes deeply at the discipline of the Navy, and I make no doubt of the Lords of the Admiralty's readiness in reimbursing any necessary expence that may occur on this occasion, and I would advise you to acquaint that board of all your proceedings upon the case. I am

Sir—Your humble servant

G. CLINTON

To Captⁿ Roddam Com^dr of H. M's ship Greyhound.

Memorial of New Jersey Council and the Council of Proprietors to the King's Privy Council—relative to the Riots.

[From an Early Copy among the Manuscripts of W. A. Whitehead, Vol. IV.]

MEMORIAL of the Members of His Majesty's Council, & of the General Council of Proprietors, in his Majesty's Province of NEW JERSEY, in America

THAT PROVINCE is under the greatest Disorders & Confusion, which have been growing from the Year 1745: His Ma^j's Authority, & the Laws there, have lost their Force: The Gov^rment there, is weak, The Ryot-ers are powerful & strong, & Property is held, at the Mercy & Pleasure of a Rebellious Mob.

His Majesty's Council there, thought it their Duty to represent those Affairs, to his Ma^{ty} & his Ministers: The Matter was referred to the Lords of Trade: And that Board has, pursuant to Order, very Fully represented the State of the said Province, in a Report made, to the Lords of his Ma^{ty} most Hon^{ble} Privy Council, where the same waits, For Consideration.

A single Passage in which Report states, That the said "Province is, at present, in open Rebellion, And, "unless some Speedy, & effectual Measures are soon "taken, his Ma^{ty} Gov^{mt}, Laws & Authority, not only "in that, but in the Neighbouring Provinces, whose "Inhabitants, for the most Part, are but too well in "clined to receive the Infection, will, in all Probability, "be absolutely destroyed.

And the Lords of Trade, in order to restore the Kings Authority, & give Force to the Laws there, propose by their said Report, three principal Matters, which are, in Substance, as follows, viz^t

1. *That* a sufficient Military Force be sent, From Great Britain, under a Commander, to be appointed For that Purpose, Or,

2. *That* the Four Companys at New York, be sent to Jersey, under Command of a Person authorized by Special Commission, Or, under the Command of a Proper Governor of New Jersey, having a Salary from hence, Or,

3. *That* the Gov^{mt} of New Jersey & New York may be reunited under one Gov^t, the Legislatures remaining distinct: & such Gov^t to use the Four Companys: to suppress the Rebellion in Jersey.

As to the Four Companys in New York, it may be submitted that there are in that Province no less than Five Fortified Places, garrisoned by those Companys, Four of which Places are very remote from Jersey, in the back Part of the Province, & amongst the Indians; And, should those Companys be withdrawn, From

thence, it is much to be Feared, the French will immediately take Possession of some of those Forts, & turn the Indians upon the British Settlements. Wherefore, the Aid of the Whole, or of any considerable Part, of those Companys, may not conveniently be afforded, To supply which.

It is humbly submitted, whether two Companys might not be raised, From amongst his Ma^{ty} well affected Subjects, in those Parts, & be posted in New Jersey, to be Joyned by such Parts of the Forces from New York, as may be spared from thence.

That the Board of Ordnance may be directed to send, to New Jersey, a Train of Artillery, like that lately sent to New York; as also, a Number of Small Arms, to be put into the Hands of such of his Ma^{ty} Subjects as are untainted, & well disposed.

That a Man of War may be stationed, at New Jersey, which is the only King's Gov'm^t without one.

That the Station Ships at Boston, New York, Virginia & Carolina be ordered to repair to New Jersey, on Letters from the Gov^r of that Province, & to concert Measures, with him, For supporting his Ma^{ty} Authority, protecting his innocent Subjects, & suppressing the Rebellion which is subsisting there: This Step will have great Weight, & at the same Time, not expose the Publick to any Charge or Expence.

That the several Neighbouring Gov'm^{ts} of New York, Pensilvania & Connecticut, may be required, on application From the Gov^r of New Jersey, to afford such Assistance, as shall be agreed on between the Gov^r of New Jersey & those Gov'm^{ts} respectively. For suppressing the Rebellion, With orders, to those of any other Gov'm^t to take up & return to New Jersey, any of the Rebels, who may Fly From thence, & shelter in the respective Gov'm^{ts} & to give the best Assistance in their Power, For putting an End to the Disorders in New Jersey.

These, and Every other Matter relating hereto, are humbly submitted to the Consideration of his Ma^{ty} most Hon^{ble} Privy Council: But whatever Methods shall seem advisable to be pursued, on the present Occasion.

It is most humble pray'd, that the said Report or Representation, which was dated 1. June 1750, may be taken into Consideration, & such Relief given thereon, as the great Importance of the affair requires.

*Letter from Governor Belcher to the Lords of Trade—
giving an account of his suspension of John Coxe
Esq^r from the Council, &c.*

[From P. R. O. B. T. New Jersey. Vol. VI, G 70.]

Letter from M^r Belcher, Gov^r of New-Jersey,
giving y^e Board an account of his having
Suspended John Coxe Esq^r from the Coun-
cil, and refers to the Minutes of Council,
herewith transmitted, for the Reasons that
induc'd him to it. Rec^d Sept^r y^e 21st 1750.

Burlington N J July 31 1750.

May It please your Lordships

In obedience, to His Majesty's royal orders, I am to Acquaint your Lordships, That John Coxe Esq^r lately a Member, of His Majesty's Council for this Province, has with insufferable insolence, traduced my Name and Character, which is such an indignity, Offer'd to the Commission which I have the honour to bear, under His Majesty. as well as a personal Abuse and Affront, As has obliged Me, to Suspend the Said Coxe, from being A Member of the Said Council—

The declarations and Affidavits, relating to this Matter, I have now the honour, to transmit to your Lordships (As in the minutes of Council) & among other

things) your Lordships will find, *the Said M^r Core determin^d to do all in his power, to hinder the King's Governour, from having any Sallary or Support—* Surely the King don't Send His Governours Abroad, to live upon the Air, or their own fortunes. No ! your Lordships were pleased to Say, in the last Letter, I had the honour, to receive from your Lordships (of November 25: 1748) That you Consider'd the Affair, of the Salary, of the King's Governour, *as a matter, in which Government is Essentially concern'd* When your Lordships have rec'd and Consider'd, these papers, I shall not doubt of your Lordships intire Approbation, of what I have done, on this Occasion; For were such things, to be endured, it must of Course, put an End, to all order and Government, and make it needless, for His Majesty, to Send Governours to his plantations -

I am with great Respect My Lords

Your Lordships Most Obedient

& Most Humble Servant

J. BELCHER

NEW JERSEY

The Minutes of the Privy Council of the Province of New Jersey 26th July 1750.

At a Council held at Burlington in the Province of New Jersey on Thursday the 26th day of July 1750.

PRESENT

His Excellency the Governour

The Hon^{ble} John Rodman —James Hude } Esq^r
Richard Smith Peter Kemble }

The Secretary informed His Excellency that pursuant to his order he had Summon'd the Council to meet this Day

His Excellency laid before the Board the Affirmation of Robert Hartshorne Esq^r & the Depositions of Ralph

Smith Esq^r and Mess^{rs} Joseph Rose Richard Borden Joseph Smith and James Borden Two Letters from Thomas Cadwalader Esq^r and one from M^r Theo^s Severns which were read and ordered to be Entered on the Minutes and are as follows

New Jersey ss.

ROBERT HARTSHORNE of the City of Burlington Attorney at Law being Summoned before Me under Written One of the Justices of the Supreme Court of our Lord the King for the Province of New Jersey BY HIS EXCELLENCY GOVERNOR BELCHER'S Express Command to Declare what he Remembered Concerning Some Conversation which Pass'd at Trenton at the House of Elijah Bond, John Coxe Esq^r Daniel Coxe, Thomas Cadwalader, William Montgomerie and the said Robert Hartshorne being Present Relating to his said Excellency—*Whereupon* the said Robert Hartshorne (being One of the People called Quakers) on his Solemn Affirmation Doth Declare That Some time in the Month call'd April last he this Affirmant being at the House of Elijah Bond In company wth the said John Coxe, Daniel Coxe, Thomas Cadwalader, and William Montgomerie upon Some Discourse Concerning Governour Belcher the said John Coxe said *The said Governour Belcher was a Scoundrel and told this Affirmant He Might tell the Governor So, And Also Speaking of the said Governor And his Support This Affirmant Said to the said John Coxe If he was Governour he won'd Live on potatoes before he won'd be Obliged to Do any thing against his Judgment, from Threats or fear of the Council or words to this Effect, to which the said John Coxe Reply'd That the Governour shou'd Live on Potatoes, for he shou'd have no Support If he cou'd Hinder it or words to this purpose, And further Saith not*

R HARTSHORNE

Affirmed to, this 16th Day of May 1750 before Me

CHA READ D^y

New Jersey {
Burlington sc' }

JOSEPH ROSE late of Burlington but now of Lancaster in the County of Lancaster in the Province of Pennsylvania Gentlemen being of full Age and duly sworn did declare that on the Fourteenth Day of May instant he being in Company at Burlington With John Coxé of Trenton in the County of Hunterdon Esq' Anthony White Esq' M' Richard Hill and M' William Coxé of Philadelphia Merchants and M' James Lyne of New Brunswick a certain Richard Borden of Ancocus Creek Apply'd to the said John Coxé Esq' (being then one of his Counsel in a Cause depending in the High Court of Chancery of New Jersey before his Excellency Jonathan Belcher Esq' Governour of New Jersey and Chancellor in the same Province between the said Richard Borden and a certain Richard Stoute lately deceased) that an End might be put to the said Suite for that it had depended long enough or Words to that Effect to which the said John Coxé Answer'd that he cou'd be of no further Service to him in that matter he was no Courtier had no Interest at Court the Governour (his Excellency aforesaid meaning) and he had had a Quarrel And he the said John Coxé (himself meaning) *did not expect com'on Justice at his Hands and bid him goe and tell the Governour so several times over which the said Richard Borden seeming reluctant to doe, saying it did not suit him, the said John Coxé enforced his Orders by Several strong Expressions that the fact was true for that he never wou'd appear more before his Excellency as Chauncellor, tho' in Council he might as being one of the Council for the said Province but that he wou'd give the said Richard Borden his Notes and Authorities to show to the Governour or speak to them himself or get any Body Else for that he was determined never to appear before his Excellency any more as Chancellor*

JOSEPH ROSE

Sworn the Nineteenth Day of May A D 1750 before
Me

CHA READ

RALPH SMITH of the County of Hunterdon in the Province of New Jersey Esq' by directions of his Excellency the Governor appeared before Charles Read Esq' one of the Justices of the Supream Court of Judicature for the Province of New Jersey, And Made Oath On the Holy Evangelists of Almighty God, that he being at the House of Elijah Bond in Trenton In Company with John Coxe & Samuel Nevel Esq' and M' Theophilus Severns Among Other things it was Said that, the Two Men were Burnt in the hand this Court would not have Impudence to Appear in the Face of a Court after this, to which M' Coxe Reply'd Why Not for that John, or Hones Anderson had been Guilty of a Crime as bad as that: And he Frequently Did it that the Governour was Going to Appoint the Brother of the said John Anderson Sheriff of the County of Hunterdon And added: *But Let him Do it, if he Dared; that if he Did he Shou'd Repent it; That the Governour was no More then an Old woman: That he would warrant it he Should have No Sallery or words to this Effect*

That John Smith Esq' of Amboy was one of this Company In the Beginning of the Evening but this Deponent Thinks he went away or was withdrawn before this Conversation hapned And Further Saith not.

RALPH SMITH

Jur 23^d May 1750.

Coram CHA READ

Letter from Thomas Cadwalader

Sir

It is neither a fear of M' Coxe's enmity nor a value for his friendship, that hindred me from Answering your Excellency' Letter which I gave Some reasons to

expect when I was last at Burlington. I have Consider'd Such a Step in all it's Several Shapes, And upon the most Mature reflection Cannot persuade My Self that the world will look upon it in Any other light, than a desire of being revenged on him for his many Abuses. This is So Contrary to a Christian Spirit as your Excellency well knows, that I have been always determined to guard Against the least appearances of it in every Action of My Life, and therefore wrote to M^r Secretary Read, that he might lay these My reasons before your Excellency, and at the same time my desire to be excused But finding by M^r Secretary's last letter that you Still expect my Coming to Burlington, am Constrain'd to request of your Excellency to be dispenc'd with, in this Affair for the reason above mentioned and this I have the more encouragment to expect from your Excellency; *Since My Narrative Can only be a Confirmation of what others have fully declared, whose Credit wants no Corroboration And the Clon'd of Indifferent Witnesses to be had renders it quite unnecessary, Especially when the Addition of My Single testimony would be purchased at so dear a price as the peace of my own mind I have only to pray, your Excellency may be Assured that want of regard to your honour has no place in this refusal of mine, and that no person has a greater Indignation at the treatment your Excellency has met with from him, whose Insolence has Obliged you, out of regard to the dignity of your Station, to make him the Subject of your Enquiry -*

I am with all Duty & Esteem

Your Excellency's

Most Obedient Humble Servant

Trenton May 29: 1750

THO^s CADWALADER

To His Excellency Jonathan Belcher Esq^r

Commander in Chief of the province of New Jersey

[Letter from Theo: Severns]

Trenton Tuesday May 29th 1750S^r

As your Excellency has Requested of Me to recollect the particulars of a Conversation at Trenton Wherein your Character was Concerned When I was in Company with M^r John Coxe, Judge Nevill, Ralph Smith and Others—

It is with the Greatest Reluctance that I Engage in an Affair So Disagreeable Nothing Less than your Excellency's Honour in Your publick Station Wou'd Induce me to Comply with it.

M^r Enoch Anderson was Mentioned in the Course of the Conversation as a person Intended to be Appointed Sheriff of Hunterdon County by your Excellency upon which M^r John Coxe Reply'd the *Governor dare not do it* and Added that it was Contrary to your Excellency's Instructions. I have Likewise heard M^r Coxe Say that *he wou'd do all in his power to prevent your Excellency from having Sallery raised for your Support*—

The Other parts of the Conversation My Memory does not Serve me to Recollect. but I believe Some Other Indecent Expressions were Droped which in particular do not Remember

As My Friendship with M^r Coxe has been Long and uninterrupted I am heartily Sorry I am Under the Necessity of Revealing these things which must in their Consequence break in upon that Harmony and Good Understanding which has Subsisted heretofore between your Excellency and that Gentleman—

I am Your Excellency's

Most Obedient Humble Servant

THEO: SEVERNS

To His Excellency Jonathan Belcher Esq^r Governor of
the Province of New Jersey &c:

Be it Remembored that on the Twenty fifth day of June 1750 RICHARD BORDEN of Evesham in the County of Burlington Appear'd before me Charles Read Esq' one of the Justices of His Majesty's Supream Court of Judicature of the Province of New Jersey and being Sworn on the Holy Evangelists of Almighty God Declared that He was at the House of John Trapnell in the City of Burlington on Monday the fourteenth day of May last Where He Saw John Coxo Esq' and Apply'd to him as his Sollicitor in a Suit Depending in the High Court of Chancery of this Province & Desired him to Move in and forward the Same to which the said John Coxo Esq' answered *I can do you no Service I do not Expect or believe my Client or Clients wou'd have common Justice and Bid him several times to tell the Governor so and further saith not*

RICHARD BORDEN

Sworn the Day and year Above Before me

CHA READ D'

* * * * *

Upon which His Excellency desired the Opinion of the Board, whether on the Affidavits and Affirmation respecting the Behaviour of John Coxo Esq' a member of this Board, It be not most Consistent with his Majesty's Honour and the Reputation of his Excellency, That the said John Coxo Esq' be suspended from being a member of His Majesty's Council of this Province till His Majestys further pleasure be known.

Whereupon the Gentlemen of the Board desired to be Informed whether M^r Coxo had been Summon'd to give his Attendance at this Board on this Day

The secretary acquainted them that he had & produced a Letter from said John Coxo Esq' as follows

TRENTON July 23^d 1750

S^r

I Rece'd the Summons to Council dated 19 July instant I am to set out for Monmouth Court tomorrow

morning and my business will keep me there till Thursday Evening or longer Therefore am not able to Attend without Injury and Injustice to my Clients of which please to inform the Gov^r and Council and am

S^r Y^r very humble Serv^t

JN^o COXE

The Opinion of the Board being again Desired, The Board are unanimously of Opinion that from what appears in the Affirmation Depositions & Letters afores^d It is most Consistent with his Majestys Honour & Reputation of His Excell^t That M^r Coxe should be suspended from being a Member of His Majestys Council of this Province until his Majesty's further pleasure be known

Ordered that M^r Coxe have a Copy of the s^d Affirmation Depositions & Letters If he requires it

His Excellency ordered the suspension as follows. John Coxe at present a Member of His Majestys Council for the Province of Nova Cæsarea or New Jersey having at several Times and places treated my Character in the most rude and indecent manner, which I take as an Insult on his Majestys Commission That I have the Honour to bear as the Kings Governour of the Province aforesaid, I Do in Honour and Duty to His Majesty Suspend the said Coxe from being any longer a Member of the said Council until His Majestys further Pleasure shall be known and Do hereby Direct the Deputy Secretary to Record this Suspension in the Council Books and to serve the said Coxe with a Copy thereof Burlington (N J) July 26: 1750

J BELCHER

By Advice of Council

CHARLES READ Secretary

His Excellency laid before the Board His Majestys Royal Order for Delivering up All English French and

Indian Prisoners and facilitating the Redemption of
slaves in America

GEORGE R.

Trusty and Well beloved, We greet you well, *Whereas* in order to put a Compleat End to the Calamities of the late war, and to Extend the Blessings of Peace to all Ranks of people who may yet labour under those Calamities we have come to the following Agreements with our good Brother the most Christian King. 1^{mo} That all prisoners whether English French now detained by the Governors of our Colonies or by those of New France in America, shall be forthwith released 2^o That after all the English and French prisoners shall have been reciprocally restored, The Indian prisoners in Alliance with, or under the Protection of the Two Crowns, shall be set at Liberty on both sides; and 3^o That the respective Governors shall afterwards facilitate on their part y^e Redemption of any Slaves, which may still remain in the Indian Villages; *Our Will* and Pleasure therefore is, That you do, immediately upon Receipt hereof, give the proper Directions that the same be forthwith carried into Execution, by Causing Such French or Indian prisoners allied to, or under the Protections of the French King as may be detained in your Government as prisoners of war, to be restored into the Hands of the French Governor or Governors or into the hands of Such person or persons as shall be duly Authoriz'd for that purpose; And by facilitating on Your Part, the redemption of any Slaves which may remain in the Indian Villages; *Provided* however, that the French Governor or Governors shall cause to be Delivered up into yours, or into the hands of such person or persons as you shall impower to receive them, All English, or Indian prisoners in our Alliance, or under our Protection, as may have been taken by the French in the Course of the Late War, and detain'd as

prisoners of War, and shall likewise facilitate on his or their part the Redemption of Slaves as above mentioned; And it is Our further Will & pleasure That you, or the person or persons authorized by you, do Agree with the French Governor or Governors or with such person or persons as he or they shall Authorize for that purpose, upon fixing a place or places for the Exchanging and Redeeming the said respective Prisoners and Slaves *And* for so doing this Shall be your Warrant; And So We bid you, Farewell. *Given* at our Court at St James the sixth Day of February 17th in the Twenty third Year of Our Reign

By His Majesty's Command

BEDFORD

And desired the Opinion of the Board what steps are necessary to be taken to Comply with his Majestys order.

The Board Advise his Excellency to Issue a Proclamation Notifying the Royal Order & Desiring any person who can inform His Excellency of any English Inhabitants of this Province or Indians in Alliance with the English at present prisoners among the French or any subjects of France or Indians in the French Alliance prisoners here, or detained in any of the Indian Villages to Lodge the Information with his Excellency in order for their Releasement.

An Exact Copy from the Minutes of the Privy Council of the Province of New Jersey compared by

CHA READ D Secretary

Burlington July y^e 30th 1730

Letter from the Lords of Trade to Governor Belcher.

/ [From P. R. O. B. T. New Jersey, Vol. XV. p. 862.]

Lre to M^r Belcher, Gov^r of New Jersey in answer to sevⁱ rec'd from him.

To Jonathan Belcher Esq^r
Governor of New Jersey.

Whitehall Septem^r 1. 1750.

Sir,

We have receiv'd your Lres to Us dated the 27. of November, 21th of December 1749, 20th of Jan'y, & 26. and 31th of March last, with the Minutes & Journals of the Council & Assembly, & other Papers therein mention'd, as also the Naval Officers Accounts, except those for the Port of Salem, the Officer of which has certainly been guilty of great Neglect, and We desire you will acquaint him, that if he does not immediately make out and transmit his Accounts in a regular manner, We shall represent his Conduct to the Lords of the Treasury.

The Behaviour of the Assembly, with respect to the Arrears due to the - - - - - late Gov^r Morris, is equally injurious to his Family & indecent & disrespectfull to the Government. The Reason assign'd for their refusal can be look'd upon in no other light than as a Libel, wherein they have taken upon them to justify many things which have receiv'd His Majesty's Disapprobation, and to censure those parts of the late Governors Conduct which were the most agreeable to his Instructions.

In the State of Rebellion in which your Colony is so unhappily involv'd, Order and good Governm^t seem to be entirely subverted, and the Law is no longer a Protection either to the person or Properties of His Majesty's well-affected Subjects: What can be said of an

Assembly, who in this distressed Situation of their Country have, so often obstinately refused to supply the Exigencies of Government, or to take any Measures whatsoever for suppressing the Rioters, who are thereby encouraged to continue their wicked Practices without Controul or Restraint.

We have, in Obedience to His Majesty's Commands, laid before His Majesty's Council, a full State of the Affairs of the Colony, from the beginning of these Confusions to this time, together with all such Acts as have been pass'd on Occasion of the Riots, and the Act for striking forty thousand pounds in Bills of Credit, with Our Opinion thereupon; and We doubt not but such Orders will speedily be given for punishing the Offenders, and for enforcing the due Execution of the Law as may re-establish good Order, Peace and Security in the Province.

So we bid you heartily farewell. and are

Your very loving friends & humble Servants

DUNK HALIFAX.

J. GRENVILLE

DUPPLIN

J. PITT.

*Letter from Cadwallader Colden to Robert Hunter
Morris, London.*

[From Original among the Papers of Robert Hunter Morris in the Library of the
New Jersey Historical Society, Vol. I No. 10]

To Robert Hunter Morris Esq^r London

New York Oct^r 1st 1750

S^r

[Extract.]

* * * * * M^r Alexander is now at Perth Am-
boy where M^r Belcher now meets his Assembly. I
hear Gov^r Belcher went last week to Newark to the

commence'nt where he was sens'd with a palsy & is laid up there * * * * * M^r Catherwood gives the Gov^r hopes of M^r Alexanders being restored to his seat in Council & that the Order may come by the next ships for that purpose. I am S^r

Your most obedient humble servant

Edwallader Elden

*Letter from Governor Belcher to Richard Partridge,
Agent in London—about proceedings of the recent
Legislature.*

(From a Copy among the Belcher Papers in N. J. Hist. Society Library.)

Burlington N. J. Oct. 17 1750

Brother Partridge

[Extract.]

* * * * *

I have lately Met the Assembly in a Short Session of About 3 weeks at Amboy, in which the Council & house differed as to the Manner of laying a Tax So that Nothing was Agreed on in Support of the Government a Terrible hardship upon you & upon Me. The Secretary is preparing the journals of what past in Council and Assembly in this Short Session & which I shall soon transmit to the Secretary of State & to the Lords of Trade & towards Xmass I think to See the Assembly Again & trye what can be done.

I was much troubled Bro: to hear when at Amboy That Mr Alexander declared you had wrote to the heads of the Rioters by one of the last Ships from London in this Matter I gave you the most cordial & faithful Advice in my Lett^r of 26, of Dec^r last And Since

there is no touching pitch without being defiled Why will you be dabling with Such a Crew of Lawless Villains generally the Scum & offscouring of the Earth I much fear this incautious imprudent preceeding will be improved by Morris & Alexander to your great disadvantage at the publick offices at home & here also to strike your Name out of the Next Support Bill Whenever One May be past. I write you plainly and honestly in this Matter being really Afraid of the bad consequences I have mentioned I wou'd therefore pray you for your own Sake & interest to be wiser for the future.

I inclose you the copy of a Letter I have lately rec^d from the Com^{it}tee of the West New Jersey Society & my Answer, which after reading you'll Seal and deliver. * * * * * You will See by their Letter that my Removal from this Governm^t will be attempted in every way and Manner my Enemies can think of So you must Apply to my Friends and make all the Strength you can to defeat them. I remain very kindly

Sir Y^r Friend & Bro:

J BELCHER

Letter from Governor Belcher to the Duke of Bedford relative to an Act of Parliament respecting Pig and Bar Iron.

(From P. R. O. America and West Indies, Vol. XV, p. 27.)

Burlington N J October 26. 1750

May it please your Grace

The 17: of September, I had the honour, to receive your Graces Letter, of the 14: of April last; inclosing an Act, past the last Session of Parliament, entituled

" An Act to incourage the Importation of Pig and

“Bar Iron from His Majestys Colonies in America and
 “to prevent the Erection of any Mill or other Engine
 “for Slitting or rolling of Iron, or any plating Forge
 “to work with a Tilt hammer or Any furnace for
 “making Steel in Any of the Said Colonies.

This Act. May it please your Grace, I have carefully perused, & Shall in all things, conform my Self to it, in the Station. Wherein I have the honour, to Serve His Majesty; And in Obedience, to your Graces direction, for having the Said Act duly published, and observed, in this Government; I have had the Same printed, in one of the publick papers, of the Government of Pennsylvania (there being no press in this Province) One of which papers, I have now the honour, to transmit to your Grace; And am, with all possible Respect, & deference—

My Lord Duke

Your Graces Most Obedient & Most Devoted Servant
 J BELCHER

Letter from Governor Belcher to the Duke of Bedford as to recent proceedings of the Assembly of New Jersey.

(From P. R. O. America and West Indies, Vol. XV, p. 132.)

Burlington (N J) November 10 1750

May it please your Grace

I had the honour, of writing your Grace, the 26; of the last Month, and am now to Acquaint your Grace, That According to my porrogation, of the general Assembly, of the Province, they met Me 20; September last, At Amboy, and Sat 19 days; and I now inclose to your Grace

The journals, of the Council, and of the Assembly;

As also, a trifling Act, of Naturalization, past in the said Session. But Your Grace will See, by the Journals, No provision was made for paying the Publick debts; or for the future Support, of the Government; the Council and Assembly, Still differing. As to the way, and manner, of levying a Tax, & of this, I wrote to your Grace, So Particularly 26: of March last, and to which I crave your Grace's reference, that I can Say Nothing new on the Subject, But think my Self Obliged, in duty to the King, to repeat to your Grace, That unless Some especial orders, Soon Arrive, from His Majesty, respecting the Affairs, of this Province, the disorders and confusions, will increase to all Sorts, of Licentiousness, I mean as to the Rioters, and for want of Money, to pay of the just demands, on the Province; I am, wth the greatest regard & duty

My Lord Duke

Your Graces most Obedient and most faithfull Serv^t

J BELCHER

*Letter from Governor Belcher to the Lords of Trade—
about action of Council and Assembly.*

[From a Copy among the Belcher Papers in the Library of N. J. Hist. Society.]

[Burlington] Nov 10, 1750

May it please your Lordships

My last was the 31 of July past & altho' I have been constantly writing your Lordships on the publick Affairs of this Province from my Arrival to the governm^t to this time yet I have not the honour of a line from your Lordships since yours of 25 Nov^r 1748 (near two years Agoe.)

Mr Secretary Hill has lately transmitted Me three Acts past in the last Session of Parliam^t w^{ch} relate to

the plantations & among them is one to encourage the importation of pig & Bar Iron &c into Great Britain I Shall in all the Articles of it which respect His Majestys Governour of this Province pay strict Obedience to the said Act And have Accordingly been making the best inquiry I cou'd of what Iron works might be in this Province and prohibited by the said Act—the present State whereof you will find by my Certificate & the papers annext thereto which I have now the honour to cover to your Lordships and if I learn any thing more relating to the prohibition in this Act I shall practice the duty required of Me and keep your Lordships duly informed thereof.

I am in the next place to Acquaint your Lordships that according to my prorogation of the general Assembly of the Province they met me 20 Sep' last at Amboy and Sat 19 ds and I now inclose to your Lordships

The journals of the Council and of the Assembly

As also a trifling Act of Naturalization past in the s^t Session. Your Lordships will see by the Journals No provision was made for paying the publick debts for the future Support of the Governm^t; the Council & Assembly Still differing As to the way and Manner of levying a Tax, & of this I wrote your Lordships Particularly 26 & 31 of March last & to w^h I crave your Lordships reference For I can Say Nothing new on the Subject But think myself obliged in duty to the King to repeat to your Lordships That unless Some especial orders Soon Arrive from His Majesty respecting the Affairs of this Province the disorders and Confusions will increase to all Sorts of Licentiousness I mean as to the Rioters and for want of Money to pay the just demands on the Province.


I am wth great Respect

My Lords Y^r Lordships Most Obedient &c
Lords of Trade.

J BELCHER

*Certificate & other Papers annex'd relating to Mills
or Engines for Slitting or Rolling of Iron in the
Province of New Jersey.*

[From P. R. O. B. T. New Jersey, Vol. VI, G 73.]

 IN OBEDIENCE TO AN ACT OF PARLIAMENT
Entituled an Act to Encourage the Importa-
tion of Pig and Bar Iron from His Majesty's
Colonies in America, and to prevent the Erec-
tion of any Mill or other Engine for Slitting or Rolling
of Iron, or any plateing Forge to work with a Tilt
Hammer; or any Furnace for making Steel in any of
the said Colonies, passed in the twenty third Year of
His present Majesty's Reign. Which was Transmitted
me by the Secretary to the Right Honourable the Lords
Commissioners for Trade and Plantations. I having
Caused the said Act to be printed and issued a Procla-
mation thereon, which are hereunto annexed, and
having made strict Enquiry, Do Certify that there is
in this province One Mill or Engine for Slitting and
Rolling of Iron Situate in the Township of Bethlehem
in the County of Hunterdon on the south Branch of
the River Rariton the property of Mess^{rs} William Allen
and Joseph Turner of Philadelphia which is not now
in use, One plateing Forge which works with a Tilt
Hammer Situate on a Small Brook at the West End
of Trenton in the County of Hunterdon aforesaid the
property of Benjamin Yard of Hunterdon aforesaid
which is now used, One Furnace for the making of Steel
Situate in Trenton in the County of Hunterdon afore-
said the property of the aforesaid Benjamin Yard
which is not now used, and were all Erected before
the twenty fourth day of June last as appears by the
returns hereto annexed.

And I do also Certify that from the Strictest Enquiry

I can possibly make there is no other Mill or Engine for Slitting and rolling of Iron or plateing Forge which works with a Tilt Hammer or Furnace for making of Steel within His Majesty's Province of New Jersey. In Testimony whereof I have hereunto set my hand and caused the Great Seal of the Province of New Jersey to be affixed at Burlington Tenth day of November in the twenty fourth Year of His Majesty's Reign.

J BELCHER

To His Excellency Jonathan Belcher Esq' Captain General & Governor in Chief in & over the Province of New Jersey & Territories thereon Depending in America Chancellor and Vice Admiral in the same.

In Obedience to your Excellencys Proclamation Issued at Burlington the fifteenth day of September last, Directing & requiring the Sheriffs of the Several Counties in this Province to Notifie to your Excellency on or before the Twentyeth day of this Instant October The Number of Mills or Engine for Slitting or rolling of Iron & of plateing forges which work with a Tilt Hammer or of Furnaces for making of Steel, which were Erected in their Respective Counties, with a particular & Exact Account of their Scituation & of the time they were Erected with the Name or Names of the owners or Reputed Owners thereof. I the subscriber high Sheriff of the County of Hunterdon Do accordingly Inform Your Excellency, that I have found in the County of Hunterdon One Slitting Mill Scituate on the South Branch of Rariton river in the Township of Bethlaim reputed to belong to Willian Allen & Joseph Turner Esq' and having Carefully Examined Samuel Johnson Esq' one of his Majestys Justice of the Peace for the County of Hunterdon and Samuel

Fisher Iron Master and several other Crediable persons they did Severally Declare that to their knowledge the said Mill was Erected before the twenty fourth day of June last past, but is not at present used

Also one Plateing Mill Scituate in Trenton in the County of Hunterdon said to belong to Benjamin Yard which to my Certain knowledge was Erected before the said Twenty fourth day of June Last past and is now in Use.

Also one Furnis for making Steel belonging to the above s^d Yard which Also to my own knowledge was Erected before the twenty fourth day of June last past but is not now in use. And after a strict Inquiry I can Discover no other Mills or Engine for Slitting or rolling of Iron or plateing forges which work a Tilt ham'er or Furnaces for making of steel within my County

Given under my hand at Trenton this Twentieth day of October Anno Dom 1750

Jⁿ ALLEN Sh

To His Excellency Jonathan Belcher Esq^r Governor of the Jerseys &c^a

Seeing your Excellencys Proclamation requiring the owners of Every Mill or Engine for rolling or Slitting of Iron &c^a to Transmitt or Cause to be Delivered into the Secretarys Office at Burlington a particular account of their Scituations.

Pursuant thereto, we the owners of a Certain Engine for Slitting and Rolling of Iron report our Mill to be scituated on the south side of the south Branch of the river Rariton said to be in Bethlehem Township & in the County of Hunterdon which was Erected before the 24th June Last past— But not at present in use, which Mill is the property of

Your Excellencys most Obedient Serv^{ts}

WILLIAM ALLEN & JOSEPH TURNER

Union Ironworks October 17th 1750

Supplement, to the Pennsylvania Journal. No.
413

AN ACT to encourage the Importation of Pig and Bar Iron from His Majesty's Colonies in America, and to prevent the Erection of any Mill or other Engine for Slitting or Rolling of Iron ; or any Plateing Forge to work with a Tilt Hammer ; or any Furnace for making Steel in any of the said Colonies.

Whereas the Importation of Bar Iron from his Majesty's Colonies in America, into the Port of London, and the Importation of Pig Iron from the said Colonies, into any part of Great Britain, and the Manufacture of such Bar and Pig Iron in Great Britain, will be a great advantage not only to the said Colonies, but also to this Kingdom, by furthering the Manufacture, of Iron with a supply of that useful and necessary Commodity, and by means thereof large Sums of Money, now annually paid for Iron to Foreigners, will be saved to this Kingdom and a greater Quantity of the Woolen, and other Manufactures of Great Britain, will be exported to America in Exchange for such Iron so imported; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, that from and after the Twenty fourth Day of June One thousand seven hundred and fifty, the several and respective Subsidies, Customs, Impositions, Rates and Duties, now payable on Pig Iron, made in and Imported from his Majesty's Colonies in America, into any part of

Great Britain shall cease, determine, and be no longer paid; and that from and after the said Twenty fourth Day of June, no Subsidies, Customs, Impositions, Rate or Duty whatsoever, shall be payable upon Bar Iron made in and Imported from the said Colonies, into the Port of London; any Law, Statute or Usage to the contrary thereof in any wise notwithstanding.

And be it further enacted by the Authority aforesaid, That no such Bar Iron so imported into the Port of London, shall be afterwards exported, or shall be carried Coastwise to be landed at any other Port or Place of Great-Britain, except for the Use of his Majesty's Yards upon pain, that all such Bar Iron so exported, or carried Coastwise, and every Ship or Vessel, on Board of which any such Bar Iron shall be exported, or carried Coastwise, shall be subject to such Forfeiture and Seizure, as any prohibited or uncustomed Goods, or any Goods Clandestinely exported or imported, or any Ship or Vessel on board of which any such Goods shall be exported or imported are now liable by Law; and also upon Pain, that every Person, so exporting such Bar Iron, or sending the same Coastwise, and the Master or Commander, and Mariners of every Ship or Vessel, on Board of which any such Bar Iron shall be so exported or carried coastwise, shall be subject to such and the like Punishments and Penalties as the Master or Commander, or Mariners of any Ship or Vessel, laden with any prohibited or uncustomed Goods, or Goods clandestinely exported or imported, are now liable to by Law: and that no Officer of his Majesty's Customs, shall sign or grant any Coquet, Sufferance, Cransire, Let-pass Warrant or Certificate whatsoever, for exporting or carrying Coastwise, except for the Use of his Majestys Dock Yards, any such Bar Iron so imported into the Port of London upon Pain, that every Officer of his Majesty's Customs so offending, shall forfeit and pay the Sum

of Two hundred Pounds, to be sued for and recovered by Action, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster, and to be applied One Moiety to the use of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons as shall sue for the same, and shall also loose and forfeit his Office, and be incapable of serving his Majesty his Heirs, or Successors in any Office of Trust or Profit whatsoever; and that if any such Coquet, Sufferance, Cransite, Let-pass, Warrant, or Certificate, whatsoever, shall be signed or granted, the same shall be void and of no Effect whatsoever.

And be it further Enacted, by the Authority aforesaid, That no Bar Iron whatsoever shall be permitted to be carried Coastwise, unless Mention be made in the Certificate to be granted for that Purpose, of the Day on which the Subsidies, Customs, impositions Rates, and Duties, payable upon Importation thereof, were paid.

And it is hereby further Enacted, that no Bar Iron imported into the Port of London by virtue or in pursuance of this Act, shall be carried or conveyed by Land Carriage to any place beyond ten Miles from any Part or Port of London except to his Majesty's Yards for the use of his Majesty his Heirs, and Successors; and if any Person or Persons shall carry and convey, or cause or procure to be carried or conveyed upon Horseback, or in any Waggon, Cart or other Carriage, any Iron so Imported to any Place beyond the Limits prescribed by this Act, every Person so Offending, shall for every such offence forfeit and pay the Sum of Twenty shillings for every hundred Weight of such Iron.

And, that the Importers of Foreign Pig and Bar Iron, not made in and Imported from the said Colonies, may not upon any Pretence whatsoever claim the Exemption hereby granted; be it further enacted by

the Authority aforesaid, That every Merchant, Trader, Factor, or other Person loading any Pig or Bar Iron on Board any Ship or Vessel in any of his Majesty's Colonies in America, shall, before the Clearing out of the said Ship or Vessel for any Port of Great-Britain, make Oath before the Governour or Lieutenant Governour, Collector and Comptroller of the Customs and Naval Officer, or any Two of them (which Oath every such Governour or Lieutenant Governour, Collector, and Comptroller of the Customs, and Naval Officer, is hereby impowered and required to administer without Fee or Reward) that the Pig or Bar Iron so Shipped, the true Weight whereof shall in such Oath be expressed, was made at within the Colony of in which Oath also the Name or Names of the Person or Persons to whom the said Iron shall be sold or consigned, shall be expressed; and thereupon the said Governour, Lieutenant Governour, Collector and Comptroller of the Customs and Naval Officer or any Two of them, shall deliver to such Merchant, Trader, Factor or other Person, so making Oath as aforesaid, a Certificate, under their hands and Seal of Office, of such Oath having been made before them.

And be it further enacted by the Authority aforesaid, That no Person or Persons, importing any Pig or Bar Iron into Great Britain, from his Majesty's Colonies in America, shall import the same Duty-free as aforesaid, unless such Pig or Bar Iron shall be stamped with some Mark denoting the Colony or Place where the same was made, and unless such Person or Persons shall produce such certificate to the Chief Officer of the Customs at the port in Great-Britain where the same shall be imported; and unless Oath shall be made before the said Chief Officer of the Customs, by the Master or Commanding Officer of the Ship or Vessel Importing such Pig or Bar Iron (which Oath such Chief Officer is hereby impowered and

required to administer without Fee or Reward) that the Iron so imported is the same Iron mentioned in the said Certificate.

Provided always, and be it enacted by the Authority aforesaid, That all Pig or Bar Iron imported into Great-Britain, which shall not be so stamped and certified as aforesaid, to be made in his Majesty's Colonies in America, shall be subject to the Payment of the same Subsidies, Customs, Impositions, Rates, and Duties to which such Iron was liable before the making of this Act.

And be it further enacted by the Authority aforesaid, That if any Governour, Lieutenant Governour, Collector or Comptrol of the Customs as aforesaid, shall falsely make any such Certificate, every Person so offending shall, for every such offence, forfeit and pay the Sum of Two hundred Pounds, and also forfeit and loose his Office, and be incapable of serving his Majesty, his Heirs and Successors, in any Office of Trust or Profit; or if any Merchant Factor, Trader, and Master, or Commanding Officer of any Ship or Vessel shall falsely make any Oath required by this Act, every such offender shall incur the Punishment inflicted by the Laws of this Realm for wilful and corrupt Perjury; and if any Person shall knowingly counterfeit any such Stamp, or shall counterfeit any certificate or publish the same knowing it to be counterfeit, every such Person so offending shall incur the Punishment inflicted by the Laws of this Realm for Forgery.

And that Pig and Bar Iron made in his Majesty's Colonies of America, may be further manufactured into this Kingdom, be it further enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June, One thousand seven hundred and fifty, No Mill or other Engine for Slitting or Rolling of Iron or any Plating-Forge to work with a Tilt

Hammer, or any Furnace for making Steel, shall be erected, or after such Erection, continued in any of his Majesty's Colonies in America; and if any Person or Persons shall erect, or cause to be erected, or after such Erection continue or cause to be continued, in any of the said Colonies, any such Mill, or Engine, Forge, or Furnace, every Person or Persons so offending, shall for every such Mill, Engine, Forge or Furnace, forfeit the Sum of Two hundred Pounds of lawful Money of Great Britain.

And it is hereby further enacted by the Authority aforesaid, That every such Mill, Engine, Forge or Furnace, so erected or continued contrary to the Directions of this Act, shall be deemed a common Nuisance; and that every Governor, Lieutenant Governor or Commander in Chief of any of his Majesty's Colonies in America, where any such Mill, Engine, forge or Furnace shall be erected or continued, shall upon Information to him made and given, upon the Oath of any Two or more creditable Witnesses, that any such Mill, Engine, Forge, or Furnace, hath been so erected or continued (which Oath such Governor, Lieutenant Governor, or Commander in Chief, is hereby authorized and required to administer) order and cause every such Mill, Engine, Forge or Furnace, to be abated within the space of Thirty Days next, after such information given and made as afore-said; and if any Governor, Lieutenant Governor, or Commander in Chief, shall neglect or refuse so to do within the Time herein before limited for that Purpose, every such Governor, Lieutenant Governor, or Commander in Chief, so Offending, shall for every such Offence forfeit the Sum of Five hundred Pounds, lawful Money of Great-Britain, and shall from thence forth be disabled to hold or enjoy any Office of Trust or Profit under his Majesty, his Heirs, or Successors.

And it is hereby further enacted by the Authority

aforesaid, That the several Penalties and Forfeitures by this Act inflicted, for falsely making any Stamp or Certificate, herein before directed, or for erecting or continuing any Mill, Engine Forge, or furnace prohibited by this Act, or for refusing or neglecting to abate the same, shall and may be sued for and recovered by Action, Bill, or Plaint, or Information, in any of his Majesty's Courts of Record at Westminster, or in the Court of Exchequer, in Scotland, or in any of the Courts of Record in his Majesty's Colonies in America respectively, wherein the Offender shall dwell at the Time, when such Action, Bill, Plaint or Information shall be brought; and every such Action, Bill, Plaint, or Information, to be brought in Great-Britain, shall be laid either in the County where any such Offence shall be committed, or where the Offender shall dwell at the Time when such Action, Bill, Plaint, or Information shall be brought.

And be it further enacted by the Authority aforesaid, That all such Penalties and forfeitures shall be applied, One Moiety to the use of his Majesty, his Heirs and successors, and the other Moiety to such Person or Persons, as shall sue for the same.

And it is hereby further enacted by the Authority aforesaid, that all Bar Iron which shall be imported from any of his Majesty's Colonies in America, into any Port of London, by virtue or under the Authority of this present Act, shall be entered at the Custom-House in London; and every Bar of the said Iron so entered shall be marked or Stamped with such Mark or Stamp as the Commissioners of his Majesty's Customs shall for that purpose order or direct, in Three different Parts of every such Bar (that is to say) Two of the said Marks or Stamps at the distance of one Yard from each End of such Bar, and the other of them at, or near the Middle thereof.

And it is hereby further enacted, That if any Person

shall counterfeit, or wilfully destroy or deface, any of the said Marks or Stamps, with an intent to convey or carry the same to any Place Ten Miles from any part of the Port of London, contrary to the true meaning of this Act, every Person so offending, and being legally convicted, shall forfeit the Sum of One hundred Pounds to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster; One Moiety thereof to his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons who shall sue for the Same.

And be it further enacted by the Authority aforesaid, That from and after the said Twenty-fourth Day of June, every Governor, or Lieutenant Governor, or Commander in Chief of any of his Majesty's Colonies of America, shall forthwith transmit to the Commissioners for Trade and Plantations, a Certificate under his Hand and Seal of Office, containing a particular Account of every Mill, or Engine for Slitting or Rolling Iron; and every Plating Forge to work with a Tilt Hammer; and every Furnace for making Steel, at the Time of the Commencement of this Act, erected in his Colony; expressing also in the said Certificate, such of them as are used, and the Name or Names of the Proprietor or Proprietors of each such Mill, Engine, Forge and Furnace, and the Place where each such Mill, Engine, Forge or Furnace is erected, and the Number of Engines, Forges and Furnaces in the said Colonies; and if any Governor, Lieutenant Governor, or Commander in Chief, shall neglect or refuse so to do within Six Months after the said Twenty fourth Day of June, every such Governor, Lieutenant Governor, or Commander in Chief so offending, shall be Subject to such Penalties and Forfeitures, as any Governor, or Lieutenant Governor, of any of the said Colonies is liable to for any offence committed against this act, to be

recorded in like manner, as is by this Act directed for the same.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, the Defendant or defendants, in any such Action or Suit may plead the General Issue, and give this Act and the special matter in Evidence, at any Trial to be held thereupon; and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant, or defendants; and if the Plaintiff shall be non-suited, or discontinue his Action after the Defendant or Defendants shall have appeared; or if Judgement shall be given upon a Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed a Publick Act, and be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

By His Excellency JONATHAN BELCHER, ESQ;
Captain General and Governor in Chief, in
and over his Majesty's Province of Nova
Cæsara, or New Jersey, and Teiritories
thereon depending in America, Chancellor
and Vice Admiral in the same &c.

A PROCLAMATION.

Having received His Majesty's commands, to cause the foregoing Act and every Clause therein, to be

strictly and punctually observed within this Province. In order to enable me to pay exact Obedience to the same, I do hereby require the Owner or Owners of every Mill or Engine for slitting or rolling of Iron, and of every plateing Forge that works with a tilt Hammer, and of every Furnace for making of Steel, which were erected before the 24th Day of June last, to transmit, or cause to be delivered into the Secretaries Office at Burlington, on or before the twentieth Day of October next, a particular Account under their Hands of the Scituations of their respective Works, and the Name or Names of the Owner or Owners and whether the same are used or not.

And the Sheriffs of the several Counties in this Province are hereby directed and required, to notify to me, on or before the twentieth Day of October next, the number of such Mills or Engines for slitting or rolling of Iron, and of plating Forges which work with a tilt Hammer, or of Furnaces, for making of Steel, which are erected in their respective Counties, with a particular and exact Account, of their scituation, the Time they were erected, the Name or Names of the Owner or reputed Owners, and whether the same are now used.

Given under my Hand and Seal at Arms, at Burlington, the Fifteenth Day of September, in the Twenty Fourth Year of his Majesty's Reign, Anno Domini, One Thousand Seven Hundred and Fifty.

J. BELCHER.

By his Excellencys Command

CHARLES READ Secr.

*Letter from Governor Belcher to the Duke of Newcastle
—referring to complaints made against him.*

(From a Copy among the Belcher Papers, in Library of N. J. Hist. Society.)

(Burlington) Nov 12, 1750

May it please your Grace

Upon your Graces resigning the Southern Province of the Secretary of State's Office According to my duty to His Majesty I have been constantly transmitting all matters relating to this Government to His Grace the Duke of Bedford your Grace's Successor And I have been loth to be troublesome to your Grace But your Grace will forgive Me. While by this I again most humbly & most sincerely thank your Grace for your disinterested & compassionate Regard to Me and to my Family in giving Me this Government in w^h from my Arrival to this time I have conducted my Administration in the most prudent Manner I have been capable of for Supporting the honour of the Kings authority and for advancing the Welfare of the people But this Notwithstanding I am Sensible May it please your Grace That my honest Zeal for His Majesty's Service has been Misrepresented at Some of the publick Offices at Whitehall & more p^ticularly at the plantation Board For Mr Partridge who is my Brother and my Agent writes Me That the Lords Commissioners for Trade and Plantation in a Report they had made to His Majesty in Council had faulted Me for giving my Assent about 3 years agoe to An Act of Indemnity for those of this Province called Rioters & that this Matter might Appear in the worst light their Lordships have tackt an Opinion of the Attorney and Solicitor General to their report upon My Agents getting into the knowledge of this Affair he Applied to their Lordships for a Copy

of that Report & Opinion as far as related to Me. But he was refused it This My Lord Duke is an Extraordinary Manner of proceeding for their Lordships to make of the Kings Gov' and not Suffer him to See or know what it is and So to deprive him of the liberty & privilege of Answering for himself—it was not So under the heathen Emperours, No! a Roman was not to be condemned unheard But this Method is what may be called Shooting a Gent^l in the dark & I hope your Grace will forgive my Speak^r so plainly in a Case wherein my honour & interest are so much Concerned.

Very Soon after my Arrival to this Governm^t I did my self the honour to advise your Grace thereof and at Same time informing That I found the Province in much disorder from great Numbers of Seditious people in Several parts of it trampling upon the Laws &c. *

* * * At my first meeting of the general Assembly of the Province I laid this difficult Affair before them & a few Months after at another Session I Set the Matter in the strongest light I cou'd before y^e & after 2 or 3 mo^r deliberation His Majestys Council and the Assembly judg'd the passing of an Act of Indemnity for all things past wou'd be the best Expedient for putting an End to the long practice of Mobbing and rioting such an Act was Agreed to by those two branches of the Legislature and when it was brought for my Assent I then laid His Majestys 87th instruction before the Council and askt their Opinion upon it which with their Answer is in the postscript of this Letter & of w^{ch} I humbly ask your Grace' inspection when I hope your Grace will not think me Culpable in doing what was judg'd I might do as the best method cou'd be thought of at that time for restoring the peace & tranquillity of the Province, As well as for preserving the Kings Authority I humbly ask your Graces pardon for the trouble of this & y^e you would allow me to hope for y^e Graces favour & protec-

tion That I may not be unreasonably Censur^d at any time without having Liberty to Ans^r for myself in what may be thought Matter of Complaint. * * *

My Lord Duke your Graces

Most obedient serv^t

J BELCHER

Duke of Newcastle.

*Letter from Governor Belcher to Richard Partridge—
about New Jersey Affairs.*

From a copy among the Belcher Papers in the Library of the N J Hist. Society.

(Burlington N J) Nov 15 1750

Bro: Partridge

[Extracts.]

* * * * * When you have rec^d what the Crown owes this Province on Acco^t of the Canada Expedition I think it will be wise and very Warrantable to take out of it what the Province may be indebted to you, And I am obliged to you for what you propose in my favour of which I will further Consider and write you fully in the meantime I wou^d have no bills past on Me in the way you propose till you have my final Answer in this Matter.

It is Brother vile treatment y^t you and I and all the Officers of the Governm^t meet with in what is due from the Province—if J. A. Cou^d be removed I think things wou^d soon go on more Smoothly But as you Say we must leave things to time and patience.

I have wrote you So often of the State and Condition of the Affairs of this Province and in w^h there is

no late Alteration) that I know not what new to Say But must repeat That untill Some especial orders Arrive from the Crown in the Affairs of the Province Things will Still grow worse But Such ord^r as might be Sent wou'd have a Tendency to the restoring of peace and good ord^r in the Governm^t * * * *

* * * It must alwayes be remembered Bro: That none of the Mobbers or Rioters were ever convicted of Treason & altho' Chief Justice Morris got them So indicted yet it was generally tho't Mobbing & rioting cou'd not amount to it.

Perhaps Morris' may be for doing Mischief About my allowing the Members of the general Assembly to pay themselves their Wages by Certificate from the Speaker &c. and Whereas it has been the constant Course of the Commission and instruction from the Crown That no Monies Shou'd be paid but by Warr^t from the Gov^r with Advice and Consent of the Council yet the paym^t of the Members of the Assembly has alwayes been in the manner Above mentioned as you will See by the inclosed certificate from the Sec^{ry} of the Province and which may lye by you dormant, unless you Shou'd have Occasion to make use of it.

I heartily congratulate you upon y^r Choice & Appointment^t to the Agency of the Colony of Connecticut and the more in that y^e had a Competitor. as I have before wrote you. They are an honest worthy body of people and deserving of your best care and Services.

* * * * *

With kind respects I remain Sir

Y^r Loving brother

J BELCHER

* Robert Hunter Morris was then in England. — Ed

Letter from Governor Belcher to the Duke of Bedford nominating William Morris for Council, to fill the vacancy caused by the removal of John Coxe.

[From F. R. O. America and West Indies. Vol. XV. p. 84.]

Burlington (N J) November 15, 1750

May it please your Grace

Since I had the honour, of writing your Grace, on the 10: instant, by this Conveyance, I have an Account, That one Hoogland, a Rioter whom your Grace will find mentioned, in the journals, of His Majesty's Council has Submitted, and given up his possession, to the proper owners, of the Land, and they have releast him, from jail; I wish, this May be a leading Example to Others, concern'd in the Vile practice, of mobbing and Rioting. —

Your Grace is Sensible, That the Suspension of John Coxe Esq' from His Majestys Council, of New Jersey, makes a Vacancy, in the Number, of Counsellors for the west division, of the Province; I wou'd therefore, in duty to His Majestys royal instruction to Me, Nominate to your Grace for filling up the said Vacancy, William Morris Esq' an Inhabitant, of the west division, of the Province, at Present one of the Judges, of the Court, in the County of Hunterdon and a Gentleman, every way qualified, According to His Majesty's sth instruction; and M^r Partridge will Apply to your Grace, for the King's Mandamus — I am, with the greatest regard, & duty My Lord Duke

Your Grace's Most Obedient &

Most faithfull Serv^t

J BELCHER

*Letter from Governor Belcher to the Lords of Trade—
about boundaries, the nomination of Wm. Morris
for the Council, etc.*

(From a Copy among the Belcher Papers in Library of N. J. Hist. Society.)

(Burlington) Nov 15 1750 .

May it please y^r Lordships

Since mine of the 10 instant by this Convey^e I have rec^d y^r Lordships of the 19th of July^e last & wth came to my hands but the 13: Curr^e by way of Phil^a and I take notice of its Contents in every Article and what your Lordships have directed to be done I shall put furw^d as far as lyes in Me with all the dispatch I can Being Sensible That it is for His Majestys Service and for the benefit of the Plantations That the Limits or Boundaries of the British Colonies on the Continent of America should be distinctly known. I cant learn y^r this Province has ever been carefully perambulated and Surveyed or any correct Map made of it. That what y^r Lordships now writes for will require a long Time & create a Considerable Expence and as to the latter y^r Lordships will find by my Letters, There has not been a Shilling in the Treasury of this Province for any use or Service Whatsoever for fifteen Mo^r past, nor do I expect there will till Som especial ord^r come from His Majesty in the Affairs of this Province As this Ship is just upon Sailing this is all I can Say at p^rsent but I shall with all diligence pursue this material Affair and advise your Lordships as I proceed.

Your Lordships will observe in the journals of the Council I transmit your Lordships by this Convey^e

* A circular letter to all the Governors in America, requiring an account of the boundaries of their respective Provinces and Colonies. Under date of December 5th Governor Belcher transmitted a map, and described the boundaries of New Jersey. "So situated as to have no French settled on its borders nor have the Subjects of any Foreign Power made any Encroachments thereon." Ed

Several Affidavits relating to one Hoogland Committed to His Majestys jail in Amboy, as a Trespasser on other Mens Lands, and for whom it had been said Some of the Rioters would rise & deliver him out of jail But I am glad to inform your Lordships That the Man has Submitted and given up his possession to the proper owners of the Land and they have releast him from jail I wish this may be a leading Example to Others concerned in the Vile practice of Mobbing and Rioting

Y^e Lordships are Sensible That the Suspension of John Coxe Esq^r from His Majestys Council of N. Jersey makes a Vacancy in the Number of Councillors for the west division of this Province. I would therefore in duty to His Majestys royal instruction to Me Nominate to your Lordships for filling up the Said Vacancy W^m Morris Esq an Inhabitant of the west division of the Province at p'sent one of the Judges of the Court in the County of Hunterdon & a Gent^l every way qualified According to His Majestys s^t instruction and M^r Partridge will Apply to y^e Lordships for the Kings Mandamus. I remain with great Respect

My Lords Your Lordships
Most Obed^t & Most Humble serv^t

J BELCHER

To the^s Lords of Trade.

*Letter from Governor Belcher to Richard Partridge—
about nomination of William Morris for the
Council.*

[From a Copy among Belcher Papers in the Library of the N. J. Hist. Soc.]

Burlington Nov 17 1750

Brother Partridge

My last was 15 inst by y^e Convey^r & this is to Cover to y^e my Letters to Duke of Bedford & Lords of Trade

w^{ch} I leave open for your perusal & then y^e will Seal & deliver them & you must use all y^r best indeavours & interest to Obtain the Kings Mandamus for W^m Morris Esq to be of the Council he is a very worthy Man & may do good Service there the young Gent^o on y^r Side the Water Perhaps May Oppose it at y^r Board of Trade and Say he is a Quaker &c But if y^e can Make yourself Strong wth the D of B & L & Ch^r the thing will be done & if M^r Hyam & Mr. Haywood wou'd speak to D. of B. & to L^d H^o f—x in this Matter I shou'd take it kindly. I wou'd have no failure if it can be avoided. For it wou'd be a great dishonour to Me & much weaken my hands in the Governm^t if when Vacancies happen in y^r Council I cannot According to y^e Kings instruction fill y^m up & w^{ch} I did while Gov^r of New Hampshire 11 years together

Inclosed is our Fr^d Morris ord^r To Elias Bland to pay what may be ye charge of this matter

I am Y^r Lov^d Bro:
J BELCHER

Representation from the Lords of Trade to His Majesty, proposing David Ogden, Esq., to supply a Vacancy in the Council of New Jersey, occasioned by the suspension of John Coxe, Esq.

[From P. R. O. B. T. New Jersey. Vol. XV p. 340.]

To the King's most Excellent Majesty

May it please your Majesty

Jonathan Belcher Esq^r your Majesty's Governor of the Province of New Jersey, having, in a Letter to Us dated the 31. July last, acquainted Us that John Coxe Esq^r, one of the Members of your Majesty's Council of the said Province, having with great insolence tra-

duced his Name & Character, he had been obliged to suspend him from his seat in the said Council, until your Majesty's Pleasure might be known: And the said Governor having at the same time, conformable to the 9th Article of your Majesty's Instructions, transmitted to Us the Proceedings in the said Council containing the Declarations and Affidavits relative to this matter, by which it appears that the said John Coxo Esq^r hath behaved in a manner highly injurious to the Honour & Dignity of your Majesty's Commission to your said Governor, and is unworthy of any longer continuing a member of your Majesty's said Council, We humbly take leave to propose to your Majesty that he may be removed from his seat in the Council of the Province of New Jersey, and that David Ogden Esq^r, who has been recommended to Us as a Person every way qualified to serve your Majesty in that station, may be appointed of your Majesty's said Council, in the room of the said John Coxo Esq^r

Which is most humbly submitted,

DUNK HALIFAX
DUPPLIN
J. GRENVILLE
FRAN: FANE.

Whitehall Jan^y 15, 1750-1.

*Letter from Governor Belcher to Colonel Alford
about College Building.*

[From a Copy among Belcher Papers in Library of N. J. Hist. Society.]

[Burlington, N. J.] Jan 15, 1750-1

Sir

[Extracts.]

* * * * *

When I consider the poverty of this little Province where are very few people of fortunes and great Numbers of Quakers Among us, who you know are Enemies to what they call human Learning and to ortho-

doxy in Religion and this Sect has So much Influence in the Legislature y^t I almost despair of any help here towards the Building and Support of our College we must therefore hope for and beg the benevolence and generosity of Such well disposed Christians as may be inclined to Assist in this difficult undertaking and may God Speed the plough.

During my late Stay in England and from my Arrival here to this time I have been Anxiously concerned to promote and incourage all in my power the fine Scheme of the late excellent Sergeant for civilizing and christianiz^t the poor Indians on our western borders who have been for So many Ages perishing for lack of Vision. * * * *

I have had the royal leave of Absence to N. England lying by Me for About 2 years past, but the Affairs of this Province have been for a long time in great perplexity, nor are they yet So composed as that I am Able to fix the time of making a Vissit to my Fr^{ds} in N. England. * * * *

I am Hon^{ble} S^r

Your Friend & serv^t

Col^d Alford

J BELCHER

Message from Governor Belcher to the Council and General Assembly.

! From a Copy among Belcher Papers in Library of N. J. Hist. Society

[Burlington] Jan. 29 1750-1

Gent^{rs} of the Council and of the General Assembly

It is with much Concern That I find my self obliged to Observe to you That your difference in Opinion as to the way and manner of levying a Tax for Support

of the Government and w^{ch} has so long Subsisted is not onely productive of injustice and Oppression to all that have demands on the Province but must in the end bring a Train of bad Consequences upon the whole People.

In duty to the King and from a just regard to the good people of the Province I have not failed to convene you in general Assembly once & again to consider the State of the publick Affairs But for near Eighteen Months past no provision has been made for the Necessary Support of the Governm^t & for the paym^t of the publick debts. Such Sort of Managm^t I am afraid will be tho't by our Superiors to Carry the complexion of undutifulness to His Majesty and of Neglect & disregard to the good people und' our Care For the Still keeping of the Treasury empty must of Course bring great difficulties upon the Kings government and greater distress upon the Province as the debts will grow heavier.

I therefore hope Gentⁿ (as this is a leisure Season) you will Set with patience and with close attention consider these things & so Agree among yourselves as to fall into wise & prudent Measures for obviating the Present difficulty and for preventing Any thing of the like nature for the future.

And you may depend on my Concur^t with you in every thing in my power for advancing His Majesty's Service & honour & the good ord^r peace and prosperity of the Province.

Gentⁿ Since our last meeting I have had the honour of a Letter from *the Right Hon^{ble} The Lords Commissioners for Trade & Plantation* desiring Me to send them with all possible dispatch a Chart or Map of His Majestys Province of New Jersey and this is also agreeable to the Kings 75th royal instruction directing me to transmit a Map with the description of His Majesty's whole Territory und' my Government.

I have also lately rec^d a Lett^r from His Excell^{ty} The Hono^{ble} Mr Clinton His Majesty's Governour of the Province of New York acquainting Me with his intention of meeting those tribes of Indians call'd the Six Nations at the City of Albany Sometime in the Month of June next and desiring this Governm^t to become a Party at the intended Interview. His Majesty's royal instruction and the Lett^r I have mentioned Shall be laid before you.

To have the Province perambulated & carefully Surveyed & from thence a correct Map to be drawn delineating the Several Boundaries wou'd doubtless be of great use and Advantage to the Governm^t as well as to the present and future inhabitants of the Province & in this Matter I more Particularly referr you to the papers I have mentiond relating to it.

As to the Affair of Meeting the Six Nations of Indians Nothing Seems to Me more reasonable y^a y^t all the Colonies w^{ch} may be sooner or later Annoy'd and ravaged by their barbarous incursions upon their defection to the French shou'd unite in the intended Treaty at Albany and chearfully contribute their equitable proportions of the Charge. But Gov^r Clinton's Lett^r Sets this Matter in So just and clear a light That I shall onely add in case you Shou'd Agree to the thing I am ready to undertake the Fatigue of Such a journey for the Service of the Province or otherwise that it be devolved on Commiss^{rs} Chosen and appointed by the whole Legislature.

Gent^{rs} of the general Assembly

If these things are entered upon you are Sensible money must be provided to defray the Charge and that is properly in your province to do.

Gent^{rs} of the Council & of the general Assembly

As often as I may have Occasion to speak to you in a publick Manner give me leave always to wish for

concord & unity in y^r deliberations As the best Expedient for giving a good dispatch to the Affairs of the Province.

J BELCHER

Message of Governor Belcher to the General Assembly—about financial affairs.

(From a Copy among the Belcher Papers in the Library of the New Jersey Historical Society.)

Burlington Feb 22 1750-1

Gent^o of the general Assembly

I am Sorry a M^o should be already spun out in this Session without the passing of any one Bill except the revival of the Militia Act.

Altho' I have once & again prest upon you the Supply of the Treasury yet you have done Nothing more than a repeated passing of what you call a Quota bill after attempting to get such a Bill through at the Council six times before surely you cant have the least expectation of this Bills ever coming into a Law.

As M^o Matters are most properly in your Province & if you cannot raise it in the Method w^{ch} you think the best it is undoubtedly a duty y^e owe to the King together wth a tender regard to the people that you go into the next best Method of raising M^o to save the Province from the practice of Injustice & the endless Confusion w^{ch} must Ensue if things shou'd continue in the deplorable state they now are.

My Duty to His Majesty & the Paternal regard I have to His People Committed to my care obliges Me to lay before you an Extract from a Letter I rec^d the latter end of the last M^o from the Right Hon^{ble} The

Lords Commissioners for Trade & Plantation coucht in the following words.

"In the state of Rebellion in w^{ch} y^r Colony is so unhappily involved, Ord^r & good Governm^t seem to be ontirely subverted & the Law is no longer a Protection either to the Persons or Propertys of His Majestys well Affected Subjects. *What can be s^t of an Assembly who in this distressed Situation of their Countrey have so often obstinately refused to supply the Eci-gency of Governm^t or to take any Measures whatsoever for suppressing the Rioters, who are thereby encouraged to continue their wicked Practices without Controul or Restraint.*"

I hope you will wisely consider what I now communicate to you that you may see in how disadvantageous a light you stand with the King & His Ministers & to prevent His Majestys further displeasure you will go into some feasible way to Supply the publick Treasury with M^o But if you cannot at present go thro' y^r Matter yet you may pass what you call a support Bill w^{ch} will be some Step towards justice to the Credito^r of the Province & altho' the Council have already denied one Support Bill yet if you are truly in earnest to pay of the just demands on the Province y^o will trye y^m Again on that Head as y^r have often done upon the Quota Bill & to do it now may prevent my making any Complaint to His Majesty on this Affair & at same time save you the trouble & the good People of the Province the Expence of my soon call^g you Again together & in this Matter I desire your plain & p^ticular Answer.

J BELCHER

*Representation from the Lords of Trade proposing
Lewis Ashfield, Esq., to supply a vacancy in the
Council of New Jersey, by the death of Richard
Smith, Esq.*

[From P. R. O. B. T. New Jersey, Vol. XV, p. 361.]

To the King's most Excellent Majesty,
May it please your Majesty,

Richard Smith Esq^r one of your Majesty's Council
in the Colony of New Jersey being deceas'd, & Lewis
Ashfield Esq^r being recommended to Us as a Person
every qualified to serve your Majesty in that Station,
We humbly take leave to propose that he may be
appointed of your Majesty's Council in that Colony in
the room of the said Richard Smith Esq^r

Which is most humbly submitted

DUNK HALIFAX
DUPPLIN
FRAN: FANE
I. GRENVILLE.

Whitehall 26 March 1751.

*Letter from the Lords of Trade to Governor Belcher—
about his nominations for vacancies in the Coun-
cil.*

[From P. R. O. B. T. New Jersey, Vol. XV, p. 352.]

To Jonathan Belcher Esq^r
Governor of New Jersey.

Sir

We have receiv'd your Letter of the 1st of February
last, and as We did in Ours of the 1st of September
(the receipt of which you acknowledge) acquaint you

that We had laid before His Majesty's Council a full State of your Province, We can add nothing further on that subject, and We doubt not but you will speedily receive such directions as may re-establish Peace and good Government therein.

We have enquired into the Character of M^r Samuel Smith, whom you recommend to Us as a proper person to supply the Vacancy in the Council occasion'd by the Death of Richard Smith Esq^r and We find that he is a Wellwisher to the Rioters, and his Family active in that Faction. When We recollect that M^r Morris, the last person you recommended to the same Office, was found upon Enquiry to bear the same Character, We cannot but express Our surprize, that, contrary to your Duty, you should thus attempt to fill the Council Board with Persons disaffected to His Majesty's Government, and attach'd to such as disturb the peace of the Colony entrusted to your Care. We expect that you will for the future have regard to those Articles of your Instructions which relate to supplying Vacancies in Council, and that you give Us no future Cause to animadvert upon your Conduct in this respect.

We have sign'd a Representation to the King recommending Lewis Ashfield Esq^r to supply the Vacancy in Council occasion'd by the death of M^r Rich^d Smith.

So we bid you heartily farewell, & are
Your very loving friends & h^ble serv^{ts}

DUNK HALIFAX
J. GRENVILLE
FRAN: FANE
J. PITT.

Whitehall March 27, 1751.

Letter from Wm. Fraser, Collector of the Customs at Salem, to Thomas Hill, Secretary to the Lords Commissioners for Trade and Plantations, with return of Imports and Exports.

[From P. R. O. B. T. New Jersey, Vol. VI, G 81.]

Salem Feb^r The 2^d 1750[-1]

S^r

Enclosed is return^l of the Imports & Exports for the Port of Salem pursuant to the Orders I rec^d from His Excellency Gov^r Belcher & is as farr back as I can go. I take the Freedom to Enclose them to You and beg your Interest wth their Lordships to Excuse their not Coming sooner w^{ch} hapned thro^t Mistake nor could these go to the Governor so as to go by this Ship

I am S^r Y^r Most Obedient

& Most Humble Serv^t

W^m FRASER

*Letter from Governor Belcher to the Duke of Bedford
—about his dissolving the Assembly.*

[From a Copy among the Belcher Papers in Library of N. J. Hist. Society.]

April 20 1751

Duke of Bedford

May it please your Grace

I have lately held a Session of the Assembly of this Province in w^{ch} I did every thing in my power to bring them to a sense of their duty to the King and to their Country in granting the necessary Supplies for pay-

* The return relates, in fact, only to the years from 1736 to 1740, and is so imperfectly worded and arranged that it has been thought unnecessary to insert it. This reference to it will be sufficient, to direct the attention of any inquirer as to where the original and copy can be found — Eo

ment of the publick debts and for the future support of His Majestys Government but I am sorry to tell your Grace That all was to no purpose, the Assembly being obstinately set not to goe into any measures for raising money for the publick service but what were inconsistent with the Kings Royal orders to me on that head:

And His Majestys Council and the Assembly during the Session fell into indecencies one with another wth with what I have above mentiond I tho't made it necessary for the Kings service and for the welfare of the Province to dissolve the Assembly which I accordingly did and I have now the honour to transmit to your Grace herewth The only Act past in the Session being to revive the Militia Act The Journals of His Majestys Council And those of the Assembly With my Proclamation for the dissolution -and these things my Lord Duke, will give your Grace a more particular acco^t of this Session.

I have Issued the Kings Writ for a New Assembly to meet me the seventh of next mo. and wish they may come better disposed to the service of their King and Country. * * * * *

I have the honour to be wth all possible regard and Deference

My Lord Duke

Y^r Graces Most Obed^t Serv^t

J BELCHER

Order of Council approving the appointment of David Ogden to be one of the Council of New Jersey.

[From P. R. O. B. T. New Jersey. Vol. VI. G. 8.]

At the Court at S^t James's the 30th of April 1751
Present

THE KINGS MOST EXCELLENT MAJESTY IN COUNCIL

Upon reading this day at the Board a Representation from the Lords Commissioners for Trade and Planta-

tions dated the 15th of January last, Setting forth That Jonathan Belcher Esq^r His Majestys Governor of the Province of New Jersey hath acquainted them, that John Coxe Esq^r one of the Members of His Majestys Council of the said Province, having with great Insolence traduced his Name and Character, he had been obliged to suspend him from his Seat in the said Council until His Majestys Pleasure might be known; And the Gov^r having at the same time, conformable to the 9th Article of His Majestys Instructions, transmitted to the said Lords Commissioners the Proceedings in the said Council, containing the Declarations and Affidavits relative to this Matter, by which it appears, that the said John Coxe Esq^r hath behaved in a Manner highly injurious to the Honour and Dignity of His Majestys Commission to the said Gov^r and is unworthy of any longer continuing a Member of His Majestys said Council, The said Lords Commissioners therefore Propose, that he may be removed from his Seat in the Council of the said Province of New Jersey, and that David Ogden Esq^r who hath been recommended to them as a Person every way qualified to Serve His Majesty in that Station, may be appointed of His Majestys said Council in his room

His Majesty having taken the same into His Royal Consideration, is Pleased with the Advice of His Privy Council, to Approve thereof, and to Order as it is hereby Ordered, that the said John Coxe Esq^r be removed from his Seat in the Council of the said Province of New Jersey, And that the said David Ogden Esq^r be constituted and appointed a Member of His Majestys said Council in the room of the said John Coxe Esq^r—And that His Grace the Duke of Bedford One of His Majestys Principal Secretaries of State, do cause the usual Warrant to be Prepared for His Majestys Royal Signature accordingly.—

A true Copy

W SHARPE

*Order of Council approving the appointment of Lewis
Ashfield to be one of the Council of New Jersey.*

(From P. R. O. B. T. New Jersey, Vol. VI. Q. 84.)

At the Court at S^t James's the 30th of April 1751
Present

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL

Upon reading this day at the Board a Representation from the Lords Commissioners for Trade and Plantations dated the 26th of last Month, Settingforth that Richard Smith Esq^r one of His Majestys Council in the Colony of New Jersey is dead, and that Lewis Ashfield Esq^r hath been recommended to them as a Person every way qualified to Serve His Majesty in that Station; they therefore propose, that he may be appointed of His Majestys Council in that Colony in the room of the said Richard Smith Esq^r; His Majesty in Council Approving thereof, is Pleased to Order, as it is hereby Ordered, that the said Lewis Ashfield Esq^r be Constituted and Appointed a Member of His Majestys said Council in the Colony of New Jersey in the room of the said Richard Smith Esq^r deceased.

And that His Grace the Duke of Bedford One of His Majestys Principal Secretaries of State, do cause the usual Warrant to be Prepared for His Majestys Royal Signature accordingly. —

A true Copy

W SHARPE

Message of Governor Belcher to the Council and General Assembly—on convening a new session.

[From a Copy among the Belcher Papers, in Library of N. J. His. Soc.]

Perth Amboy May 21st 1751

Gentlemen of the Council & of the general Assembly.

There having lately been a Choice of a new Assembly I have judg'd it necessary to the Kings honour and Service as well as for the real interest of the Province to meet you as soon as conveniently might be
Gent^{le} of the general Assembly

As it is more p'ticularly your priviledge to make the necessary and Sufficient Supplies for paym^t of the debts of the Province and for the Support of His Majestys Governm^t over you I must desire you wisely and prudently to consider the pressing and distressing Circumstances this Province is brought into by an Empty Treasury for near two years past and that while Justice is Circulating between man and man and private people are obliged by the Laws of the Land to pay their debts one to another the Credit^{re} of the Province have been left without remedy and for no other cause but from a difference in Opinion between His Majestys Council and the late House of Assembly as to the manner of raising of Monies surely this can be no Substantial reason for stopping the Course of publick Justice at least a Bill ought to pass in security to all that have Claims upon the Province.

And as I am sure there cannot be set before you a better Example for your proceedings in the publick Affairs than that of the Honourable House of Commons of great Britain I must observe to you that it is

their constant practice first of all to Vote to His Majesty an ample Supply of M^o for payment of the publick debts and for the necessary Support of Governm^t & thereafter to consider of ways & means of raising the said monies & this has always proved a happy means of securing the Just dues of the Subject and thereby of preserving peace and good order between the Legislature & the people.

Gent^o of the Council & of the general Assembly

I doubt not but you are now come together wth good dispositions and resolutions to do all in your power for the Support of the Kings Governm^t and for the Happiness of this Province as I have once and again mention'd to former Assemblies so I now do to you that in all your debates & deliberations I heartily wish you the most pleasing Harmony & Agreem^t and I shall Cheerfully put the last Hand to your wise results in what I have now mention'd to you

J BELCHER

Perth Amboy May 21st 1751.

Letter from Governor Belcher to Richard Partridge.

(From a Copy among the Belcher Papers, in Library of N. J. His Soc.)

Perth Amboy May 22 1751

Brother Partridge

My last was April Via Phil^o p Cap^t Lee and the 20 Instant I recd yours of 8 & 28 of Feb^y via Phil^o By Capt^t Budden owning the rec^t of my Lett^{rs} to 5: of Dec^r last and that out of the monies pd to Mr Israel Pemberton in full of your bills upon me you had indorst upon the back of my bond 100£ sterling which was done 23 of Aug 1750 in part of principal and part the Remainder of what I paid the said Pemberton to Credit of my running Acco^t

I admire that a Gent^l of Mr Proprietor Penns wisdom & discerning shou'd be so deceived & led away by the malice & falsehood of one whom I defye to taxe & make out against me the least ill action in my Administration of this Government altho' the young mans Fathers memory and he himself are the objects of the hatred of almost every think^g good man in this Province whose publick records too plainly evince the reason of what I now say and the difference between the late Administration of the Governm^t here & mine I think can be the only reason of the base Conduct of the young man at home towards me.

I observe all you say respect^g my recommendation of Will^m Morris for a Counsellor who is Esteem'd a very worthy honest man and you must exert to the utmost of your power to procure his Mandamus which will be greatly for your service and mine.

I wish any thing in any papers that come und^r your view may paint out the young man in his proper colours.

I observe Mr Will^m Sharpe is abstracting & curtailing the long report of the board of Trade respecting the Rioters I believe any thing that may be in it bearing upon y^r Bro: may be nullified by proper management with M^r Sharpe who I know is your pticular fr^d and untill from that report shall proceed a smart ord^r from the Crown I conceive but little hopes of a Supply to the publick Treasury here or of things getting into any desirable ord^r in this Province I must therefore pray you to do every thing proper on your part to get such an order dispatcht to me.

I am glad you have at last rec^d the 2231: 1s. 4 str. allow^d this Province on acc^t of the Loan of money to the Crown towards the late Expedition design'd against Canada and I am glad you are like thereby to come into your Arrears due to you from this Province while I am in a Manner starving having as yet rec^d nothing

from the Assembly for near 2 years past nor can I guess when I shall. * * * * *

I am glad my Suspension of Jn^r Coxe is so well approved & confirmed and I am sorry he is so mean as to lye & say on the arrival of every Ship of his having Letters that say I am removd from the Governm^t this he immediately bruited about upon Budden's Arrival at Phil^a * * * * *

I am now here meet^g a new Assembly and inclosed is Copy of my Speech what may be the event of this Session time must discover.

I remain Sir

Y^r Lov: Bro.

J BELCHER

*Letter from Governor Belcher to the Earl of Halifax
—relative to complaints against him by Robert
Hunter Morris.*

(From a Copy among the Belcher Papers in the Library of N. J. Hist. Society.)

Perth Amboy N. J. June 1, 1751

Most Noble Lord

Upon some misrepresentations that had been made to your Lordships respecting my Conduct in the Administration in the Kings Governm^t here I did myself the honour of writing your Lordship, & which I was inform'd was delivered into your Lordships hands & I am to ask pardon for the trouble I now give your Lordship by this to which I am necessitated in justice to my Character which by my last Letters from Londⁿ I find has been attackt at your Lordships Honourable Board by young Mr Morris upon my recommending Will^m Morris Esq^r to be one of His Majestys Council for West N. Jersey whose Character has also been traduced by the same Gent^l

Your Lordship knows when Vacancies happen in the Council that The King has Commanded me to Nominate such Persons to fill them as are Qualified according to the Royal Instructions on that head to w^{ch} I have strictly conform'd my Self on such Occasions & as to this your Lordship will allow me to affirm with all boldness that M^r Will^m Morris is a Gent^e of an unblemished character every way equal & well qualified to be of His Majestys Council of this Province & therefore I humbly pray your Lordships interposition that his Majestys Mandamus may be Accordingly made out for him.

Your Lordship will still please to forgive Me while in honour to the Kings Commission and in Justice to my Self I expostulate with your Lordship not to weaken but to strengthen my hands in this difficult Governm^t

When I was formerly for 11 years Gov^r of his Majestys Province of N. Hampshire I never had one Nomination of a Counsellor for that Province set aside at your Lordships Honourable Board and if it must be otherways now it can't tend to Support the honour & dignity of the Kings Governm^t intrusted to me and if the young M^r Morris now at home or any other Splenetick Gent^e must have the fav^r of putting in or putting out Counsellors in preference to the Kings Gov^r the Royal instructions to me on that head are become quite useless and the natural Consequence of such a proceeding must be discord and Division among the several Branches of the Legislature of this Province & if your Lordship or your Honourable Board suffer private whispers & insinuations which are generally false & groundless to influence your measures respecting the Governments abroad you will never want y^e the Governours of the Colonies being seldom without their private Enemies yet I cannot but wonder at this young mans unprovok'd & unreasonable peak & malice at me & my Administration.

Your Lordship will pardon me while I think duty to the King and a just regard to my self has obliged me to speak thus plainly.

I am My Lord an honest man and have done & will do every thing in my power in support of the Kings honour and service as well as to promote the peace & welfare of this Province & which two points, I think perfectly compatible and I defy the worst of my Enemies to say & make out anything to the contrary.

The new Assembly that I have lately summonsd to meet me here are now Sitting & there seems at present a better harmony between them & his Majestys Council than there was with the Assembly I lately dissolved yet what may be the final result of their deliberations I am not able to judge but when the Session is over I shall duly transmit to your Lordship's Honourable Board all things relating thereto.

When I consider your Lordships Wisdom & great penetration in matters of Government it is with much pleasure that I thus Appeal to your Lordships Justice, impartiality & candour

I have the honour to be with all possible regard

My Lord Y^r Lordship's most Faithfull Servant

J BELCHER

Earl of Halifax.

Letter from Governor Belcher to Governor Clinton, of New York about a proposed conference with the Indians.

From a Copy among the Belcher Papers in the Library of N. J. Hist. Society.

Burlington N. J. June 20 1751

Sir

I am sorry the Assembly of this Province cou'd not be perswaded to join with your Excell^y in the intended interview with the six Nations at Albany an Affair

that so nearly Concerns the safety and Welfare of this and the Neighbouring Provinces and in which I shou'd have been glad to have done my Duty to the King in a just concern and care for his People and at same time to have had the pleasure of meeting Gov' Clinton on so good an Occasion.

I have had Application made to me for a Protestant Missionary to be sent among the Susquahannah Indians and I find by a Gent^e lately return^d from thence that they are willing to receive such a one upon their having leave from the Mohawks whom they call their Fathers I shou'd therefore be glad your Excell^t wou'd mention this matter to them in the present Conference as I believe it wou'd be a good step to Civilize and Christianize and so the better to fix them in the Interest of the Crown of great Britain.

I wish you Sir all the desired Success in the present Treaty and in all your other laudable designs for the service of Our Royal Master and of His People

I am with much respect Hono^{ble} Sir

Your Most Obed^t Serv^t

J BELCHER

His Excy Gov Clinton.

Letter from Governor Belcher to the Massachusetts Commissioners to treat with the Indians—about the appointment of a Missionary to the Susquahannahs.

(From a Copy among the Belcher Papers in N. J. Hist. Society Library.)

Burlington June 20 1751

Gent^e

The inclosed respecting a Missionary to be sent among the Susquahannah Indians has been lately put into my hands to be Transmitted to you at Albany

upon reading it you will find the Susquahannah Indians only want leave from the Mohawks whom they call their Fathers in ord^r to their accepting of a Missionary and Mr John Brainard a very worthy young Gent^l and Bro: to the late Excellent Mr David Brainard and who has lately made a Journey to these Indians offers himself to imbark in this difficult undertaking. I wou'd therefore propose to you the mentioning this matter to Gov^r Clinton to whom I have also wrote upon it and that it may be laid before the Mohawks at the Conference and when the Treaty is over I shou'd be glad to hear from you the result of this Affair.

I am with much respect Sirs
Your Most Obedient & Most Humble Serv^t

J BELCHER

To the Hono^{ble} Commissioners for treating with the Six Nations of Indians at Albany in behalf of the Province of the Massachusetts Bay.

Letter from Governor Belcher to the Duke of Bedford about New Jersey Affairs.

[From a Copy among the Belcher Papers in the Library of the N. J. Hist. Society.]

July 1 1751

May it please your Grace

In April last I inform'd your Grace of my dissolving the late Assembly of the Province and of my issuing the Kings writ for call^g a new one.

I am now glad to acquaint your Grace that there happens to be a considerable Alteration in the Members of this new Assembly from that of the last that I think the dissolution will prove to His Majestys Service as a means to bring forward the peace of this

Province for I have lately held a Session of this new Assembly who with His Majestys Council have got over two points which have been for 2 years contested between The Kings Council and the late Assembly, viz^t The way & manner of raising money on the Inhabitants for the Support of the Governm^t And also a Bill for paying the Arrears of Governm^t for 2 years past. And I have now the honour to Transmit to your Grace what things were past in a late short Session of this new Assembly. Viz^t Four several Acts of the Legislature Each of them seperate under the seal of the Province—Transcripts of the Journals of the Council And the Printed Journals of the Assembly. As these Acts will have a natural Tendency to the better support of His Majestys Authority and honour and to the peace & Welfare of the good People of this Province I was glad to find His Majestys Council and the Assembly Agreeing almost unanimously in the passing of them. I mean those 2 that have been so long contested & w^{ch} I take to be some presage of the recovery of peace and good order to this late disunited and distracted Province and to contribute thereto nothing shall be wanting in my power and as the publick affairs at present seem to put on a more pacifick Complexion I hope they will from time to time grow better not only for the Welfare & happiness of the People but also in Ease of His Majestys Ministers and in order to these good ends I intend soon to meet the Assembly Again and endeavour to pursue such measures with them as may lead them on in their duty to the King by doing what is proper on their part for the good & happiness of the Province and as they proceed I shall keep y^r Grace advised from time to time.

I also herewith Transmit to your Grace what I have directed to be done here relating to the Spanish Ship lost the last year on the Coast of North Carolina Wall^r Waller whom I advised your Grace was seized in this

Province with some of the Spanish money about him and was imprisoned and had made his escape is retaken & now in Goal in order to have his Tryal.

I am with all possible regard & duty

My Lord Duke your Graces servt &c.

J BELCHER

Duke of Bedford

Letter from Governor Belcher to Richard Partridge.

(From a Copy among the Belcher Papers in the N. J. Historical Society Library.)

Burlington July 3, 1751.

Brother Partridge

* * * * *

I also leave open for your perusal my Letter to Lord Chancellor and what I mean you shou'd communicate to him is how much it weakens my hands in the Governm^t while the Board of Trade are constantly opposing such measures as I am pursuing in Support of the Kings honour and Authority as well as to the peace & Welfare of the People and this from the vile insinuations & malice of young Morris against the Governour & the Province and I am sensible that it proceeds from this that my Nomination of Will^m Morris and Samuel Smith for Counsellors has been so much obstructed in my Nomination of Counsellors I proceed in Obedience to the Kings royal instructions inclosed and surely if his Majestys has intrusted and honoured me with his Commission for the Government of this Province and has Commanded me when Vacancies happen in the Council to Nominate fit persons for filling them up it is my Duty and priviledge so to do and doubtless I must be the most proper person and to be attended to in preference to such as are

making opposition purely to insnarle the Course of my Administration and thereby to run things into Confusion in the Province. * * * * * I desire you to read and consider very sedately what I write on this head & that you wou'd as soon as you can have leave wait on Lord Chancellor wth the substance of it for it is of necessity to the Establishment of union and Harmony in the Governm^t that this point be settled in my favour. * * * * *

As mention'd in my last it will be the next Spring before there will be any mo in the publick Treasury which renders my situation still hard and severe yet I hope in the course of another year things will become more easy and I will be Endeavouring as soon as possible to be making you remittances both on my bond & on the running Account but in the mean time I must pray you not to fail sending me the things according to the inclosed note to be shipt by the first good Opportunity to New York consigned to Mr Will^m P Smith.

I am now to advise you that this Town and my Situation in it have for 4 years past so subjected me to the Fever & Ague that I have taken a house in Eliz: town East Jersey where I hope to injoye better health and God sparing my Life I intend to be removing thither in the mo of Oct' next That place is but 16 miles across the Water to N. York so my Correspondences for the future will be mostly by Ships from thence.

I am with kind respects Sir

Y^r loving Brother

J BELCHER

*Memorial of Richard Partridge, Agent of New Jersey,
to the Lords of Trade—in relation to the statement
impugning the character of William Morris, Esq.*

[FROM P. R. O. B. T. New Jersey, Vol. VI. G. 90.]

Memorial of M^r Partridge Agent of New Jersey, praying the Board's favourable Recommendation of William Morris Esq^r to supply a future Vacancy in the Council of that Province.

To the Lords Comm^{rs} for Trade & Plantations
The Memorial of Richard Partridge Agent
for the Province of New Jersey

Sheweth

That some time since on Governour Belchers recommendation of Will^m Morris Esq^r as a fit Person to be of the Council in that Province to Supply a Vacancy in the Room of John Cox Esq^r Your Memorialist did accordingly pray that the said Morris might be nominated—But so it happened, that through some misrepresentations he was set aside & another Gentleman appointed, whereby it is humbly apprehended that not only the said, Morris but the Gov^r also may have Suffered in their Characters; Which Misrepresentation, if cleared up, Your Memorialist humbly hopes in their behalf for your favourable Esteem & for that purpose there has been lately Transmitted to Your Memorialist several Certificates or Testimonys (herewith presented) from diverse Gentlemen living in that Province & also from some of the adjoining Province of Pennsylvania in the said Morris's favour which your Memorialist assures himself will fully clear up the Mistake—con-

cerning the Gentleman accused -To your Satisfaction—

Humbly praying that when an other vacancy shall happen in the said Council You woud be pleased to nominate, the said Morris to the King for supplying the same—

Which is Humbly Submitted

RICH^d PARTRIDGE

London 6 mo: or Agust 5th 1751.

Certificate of y^e Grand Inquest of New Jersey
in behalf of William Morris Esq^r Dated
Trenton May y^e 25th 1751. Rec^d with M^r
Rich^d Partridge's Memorial.

To all persons whom it may Concern.

GREETING

We the Grand Inquest for our Sovereign Lord the King at a Court of Oyer and Terminer and General Goal Delivery held at Trenton in and for the County of Hunterdon and Province of New Jersey. Having had an Abstract of a Paragraph of a Letter lately Arrived from London. Wrote by one Benj^t Morris lay'd before us by W^m Morris Esq^r of Trenton afs'd and Expressed in the words following, (viz^t) "Some "days Past I (Benj^t Morris) "went with Richard "Partridge to one of the boards of Trade and Planta- "tions in Order to Defend of our Uncle W^m Morris "which had been Scandalously Slurr'd by Chief Jus- "tice Morris who is here, he had Carryed his point so "far that the Lords of Trade Designed to Reprimand "Governor Belcher for Recommending to his Majesty "a Bad man for one of His Council, A man who was "a Disturber of the Publick Peace, and Concerned in "the late Riots there." *We Therefore* in Common Justice to the Character of the said William Morris Do

hereby Certify that the said W^m Morris neither to our Knowledge or belief nor by any Rumour or Report whatsoever, was ever in his Life time Accounted a Disturber of the Publick Peace, Directly or indirectly Concerned in the late Riots in this Province of New Jersey, but on the Contrary in all his actions and Conversation that we ever heard off, hath Condemned such Proceedings and opposed as far as in him lay all such Unlawful Measures, And that the said W^m Morris hath for many Years last past been in the Commission of the Peace for this County of Hunterdon That we do not Know any Court of Oyer and Terminer that has for many Years past been held in this County where he has not been one in the Commission & frequently when the said Chief Justice has presided in the said Court, and that he now sits as first Judge of the Inferiour Court of Common Pleas for this County of Hunterdon, Under a Commission Granted to him for that purpose by the late Governor Morris, Father of the said Chief Justice Morris Upwards of seven Years ago—

JOSEPH GREEN, Foreman

[Twenty-two other signatures were appended.]

I, John Allen High Sherriff of the County of Hunterdon Do Certify that the Persons Names hereunto Subscribed are now Grand Jurors of the s^d County & Under their Qualifications as such, and as to what they have Asserted in Regard to W^m Morris Esq^r is just and true to the best of my Knowledge as Witness my hand.

JOHN ALLEN

Trenton May 25th 1751

Certificate of several Gentlemen of Philadelphia, in behalf of Will^m Morris Esq^r of Trenton in the Province of New Jersey.

Dated at Philadelphia y^e 27th of y^e third
Month (May) 1751. Rec^d with M^r Rich^d
Partridge's Memorial.

To all whom it may concern.

We the Subscribers being informed that some reports concerning William Morris of Trenton in the Province of New-Jersey have been propagated in London with an Intent to defame his Character and to represent him as an Encourager of the Rioters, (who have some time past disturb'd the Public Peace in the said Province,) *Do* therefore Certify that the said W^m Morris hath been many Years well known to us, and is a Person of Substance and good Reputation, so that we are well assured such reports are Groundless.

Philadelphia the 27th 3 mo: 1751.

[Signed by twenty-six gentlemen.]

Certificate of the Judges in the Province of
New Jersey, in behalf of William Morris
Esq^r Rec^d with M^r Rich^d Partridge's Me-
morial.

To all persons whom it may Concern—

(GREETING—

Whereas William Morris of Trenton Esq^r hath Com-
municated to us the Subscribers, The Judges of His
Majesty's Court for holding of Pleas, in & for the
County of Hunterdon in the Province of New Jersey,
and others his Majesty's Justices of the Peace for the
said County of Hunterdon now sitting at Trenton at a
General Quarter Sessions of the Peace for the said
County, an Extract of a Paragraph of a Letter lately

Arrived from London wrote by M^r Benj^r Morris and Expressed in the following words (Viz^t) "Some days
 " past 1 (Benj^r Morris) went with Richard Partridge to
 " one of the Board of Trade and Plantations, in Order
 " to Defend the Reputation of our Uncle W^m Morris
 " which had been Scandalously slurr'd by Chief Jus-
 " tice Morris who is here. He had Carried his Point
 " so far That the Lords of Trade Designed to Repri-
 " mand Governor Belcher for Recommending to his
 " Majesty a Bad Man for one of his Council a Man
 " who was a Disturber of the Publick Peace and Con-
 " cern'd in the late Riots there." *We therefore* in
 Common Justice to the Character of the said W^m Morris
Do hereby Certify That the said W^m Morris neither to
 our Knowledge or belief, nor by any Rumour or Re-
 port whatsoever was ever in his life time accounted a
 Disturber of the Publick Peace or Directly or indirectly
 Concerned in the late Riots in this Province but on
 the Contrary in all his actions and Conversation that
 we ever heard of, hath Condemned such proceedings
 and opposed as far as in him lay all such Unlawful
 Measures, And That the late Governor Morris Father
 of the above Chief Justice Morris upwards of seven
 years ago, Granted him a Commission under the Great
 seal of this Province to be first Judge of the Inferior
 Court of y^e Common Pleas of this County of Hunter-
 don as a fitt and Proper person, and that by and under
 such Commission he now Acts as such

PHILIP RINGO	W ^m CLEAYTON	THEO: PHILLIPS
CHARLES CLARK	BENJ BILES	JOHN GARRISON
SAM ^r STOUT	CORNELI ^r RINGO	
HUGH MARTIN	THEO ^r SEVERNS	
SAM ^r JOHNSON		

Certificate of sev^l Gent^l of New Jersey, in

behalf of the Character of William Morris
Esquire. Rece'd with M^r Partridges Mem^l
To Whome it May Concern,

We the Subscribers being Informed that William Morris Esq^r of Trenton in the Western Division of the Province of New Jersey hath had Several Matters to the Disadvantage of his Character Laid to his Charge at the Board of Trade in England. To do him Justice as far as Lies in our Power We do hereby Certifie on his behalf that he Never was to our knowledge or belief, Concern'd Directly or Indirectly with the Rioters in this Province that he is No Disturber of the publick peace but on the Contrary Generally Reputed a person of Probity and Estate.

[Signed by sixteen gentlemen.]

Burlington 3^d mo, 25th 1751

The above is a True Copy of a Writing brought to me by William Morris Esq^r

May 30th 1751 -

THEO^{us} SEVERNS

*Letter from Governor Belcher to the Lords of Trade
about their refusing to confirm the nominations of
Messrs. Morris and Smith to the New Jersey
Council.*

(From a Copy among the Belcher Papers, in Library of N. J. Hist. Society.)

Aug^t 8: 1751

May it please your Lordships

The 21 of the last month I was honoured with your Lordships Letter of the 27 of March last (and its duplicate came by same Ship.

Your Lordships are pleased to repeat to me in this

Letter what you said in yours of 1st of Sept^r last Viz^t That you did not doubt but that I shou'd speedily receive such orders as would reestablish peace & good order in this Province.

From my Arrival here to this day I have been constantly laying before your Lordships the distracted State of this Province with respect to the rioters and have been urging upon your Lordship^s to receive such an order as you now mention and which I hope by your Lordships two last Lett^{rs} may soon come to my hands when nothing in my power shall be wanting for suppressing these disorders tho' it was a misfortune to me that my immediate Predecessor during his nine years Administration cou'd do nothing to effect in this difficult Affair.

I take a very Particular notice of what your Lordships say respecting my recommendation of William Morris and Samuel Smith Esq^r for filling up the Vacancies of Councillors in the Western Division of this Province and am as much surprized as your Lordships can be that you are pleased to say that you had found upon inquiry that these Gent^l were well wishers to the Rioters and active in that Faction where your Lordships may have had your Information in this matter I can't say tho' I think common justice requires that the Author of it shou'd be known for I believe never were Gent^l branded with a greater falsehood and calumny than what has been insinuated to your Lordships respecting these two Gent^l whom I have personally known for four years past and do affirm to your Lordships that they are persons of unblemished Character and in no respect favourers of the Rioters and are every way qualified to be of His Majestys Council of this Province agreeable to the Kings Royal Instruction to me in this matter and are Inhabitants of the Western Division of the Province where the Councillors were wanted.

Upon what I have said My Lords I am to ask pardon of your Lordships while I insist upon it that in my Nomination of Mr Morris and Mr Smith I have done nothing contrary to my duty to the King but have strictly conform'd my Self to His Majesty's Royal Orders and I therefore think it not only unkind but unjust to make any animadversion on my Conduct in this respect.

His Majesty having intrusted me with His Royal Commission for the Government of this Province and having especially Commanded me to Nominate Councillors for filling up Vacancies as they might happen in the Eastern or Western Division of this Province I would hope that no Inferior person to the King's Governour ought to be listned to preferable to him in the recommendation of Councillors yet your Lordships have rejected my Nomination of three Gentlemen for Councillors being the only I have made to your Lordships since my coming into this Governm't and certainly such a method cannot tend to cementing the best union and Harmony betwixt the Kings Gov' and the Council.

I always did and I do Assure your Lordships I always will take an especial care never to Name any Person to your Lordships for a Councillor *who is not of good Life and well affected to the Kings Government of good Estate and Ability.*

I understand your Lordships have recommended to the King Mr Ogden and Mr Ashfield both Inhabitants of the Eastern Division of this Province to be of His Majestys Council here had I named to your Lordships Gent' of the Eastern Division to fill up Vacancies in the Council for the Western Division your Lordships might justly have said I had acted contrary to my Duty because the Kings 6th Instruction repeatedly Commands me to take Care that the Council may be always compleat with six of the East and six of the

West Division of the Province whereas as your Lordships have now conducted the matter there will be ten Councillors Inhabitants of the Eastern Division and but two of the Western which disproportion I am afraid will soon raise great difficulty and discontent in this Govern^t

I have reason My Lords to believe that some malevolent person has been a long time taking pains to misrepresent me and my Administration and thereby to prejudice your Lordships against me I therefore hope and expect as I have the honour to be one of His Majestys public servants that when ever my Character may be attackt or traduced before your Lordships not to make any Opinion or censure upon me till I may know the Author and the subject matter of any such attempt and time to vindicate my own honour for if this be the undoubted right of every Englishman surely one of the Kings Gov^t ought to be admitted into such list.

And shou'd your Lordships or any member of your Honob^l Board be attackt in your Characters you wou'd by no means suffer it without putting in practice the proper means of vindicating your Characters and altho' I do not stand upon an equal line or rank with your Lordships yet my Character and reputation are as dear to me as they can be to any Gentleman whatsoever.

It is my Lords a most Excellent rule to be observed in Our Conduct in all Affairs with mankind

Quod tibi fieri non vis alteri ne feceris

I am with much Respect My Lords

Your Lordships Most Obedient &c

Lords of Trade.

J BELCHER

*Letter from Governor Belcher to Lord Hardwicke—
upon the course of the Lords of Trade in filling
the vacancies in the New Jersey Council.*

[From a Copy among the Belcher Papers in Library of N. J. Hist. Society.]

Aug 10 1751

My most highly Honoured Lord

[Extract.]

* * * * * I am sorry to acquaint your Lordship that the Lords Commissioners for Trade & Plantation have lately rejected my Nomination for filling Vacancies of Councillors in the Western Division of New Jersey & in their stead recommended others I suppose named to them by young Mr Morris and that their Lordships proceedings in this manner is not only an infraction upon the original Constitution of this Government but also upon His Majestys Royal Orders to me for the filling up Vacancies in the Council as often as they may happen.

I therefore think that young Gentleman ought not to be suffered in thus misleading the Lords Commissioners for I am afr^d this step will blow up a great flame & confusion in this Province & give the Kings Ministers great trouble when there was no manner of occasion for it.

I would earnestly intreat your Lordship to interpose &c. that I may be treated as one of His Majestys Gov^{rs}

I remain &c.

Lord Hardwicke

J BELCHER

Bill of Indictment found against Lewis Morris Ashfield, Esq.—received with Governor Belcher's letter of October 21st, 1751.

(From P. R. O. B. T. New Jersey, Vol. VI. G. 97.)

At a Supreme Court of Judicature Held at the City of Perth Amboy in the County of Middlesex in and for the Province of New Jersey on the second Tuesday in August in the year of our Lord one thousand Seven Hundred and Fifty one

Middlesex: The Jurors for our Sovereign Lord the King for the Body of the County of Middlesex Being (then and there) Duly Charged and Sworn upon the Respective Oath of at Least Twelve Honest and Lawfull Men of the said County, Do Present That Lewis Morris Ashfield late of Cranbury in the County of Middlesex aforesaid Esq^r the fourth Day of August in the Twenty fifth Year of the Reign of our now Sovereign Lord George the Second by the grace of God of great Britain France and Ireland King Defender of the Faith &c at Cranbury aforesaid in the County of Middlesex aforesaid (then and there) having Discourse with one John Hite, which John Hite was (then and there) one of the Constables of the County aforesaid Duly Appointed and Qualified, He the said Lewis Morris Ashfield (then and there) *Swearing in a most Profane manner*, was Reprimanded by the aforesaid John Hite, Desiring him the said Lewis Morris Ashfield to have Regard to the Lords Day, *and the King's Laws*, That he the aforesaid Lewis Morris Ashfield Did (then and there) in the presence and hearing of Diverse Liege Subjects of our said Now Lord the King

Answer say Speak and Utter these English Words following (to witt) *God Damn you with your Kings Laws*, Now fine me, (The aforesaid John Hite, and the Laws of our said Now Sovereign Lord King George the Second Duly Established) Meaning, In great Contempt of our said Now Lord the King and his Laws, And the said Jurors of our said Sovereign Lord the King, Do further present, That the said Lewis Morris Ashfield the afores^d fourth Day of August, in the year aforesaid at Cranbury aforesaid in the County aforesaid, in and upon the aforesaid John Hite in the Peace of God, and of our said Lord the King (then and there) Being, with Force and Arms &c (then and there) an Assault Did make, And him the said John Hite Did (then and there) Real wound and Evilly Treat, And other Harms to him the said John Hite, (then and there) Did, To the great Damage of him the said John Hite, And Against the peace of our said Sovereign Lord the King (that now is) his Crown and Dignity &c
J WARRELL Att Genⁿ

I Abraham Cottnam one of the Attorneys of his Majestys Supreme Court of Judicature for the Province of New Jersey, Do hereby Certifye and Declare, That I have good Reason to know, And I do verily Believe, That the Above is a True Copy of the Original Indictment, Now filed of Record in the Secretaries Office at the City of Perth Amboy, Haveing Carefully Examined it with my Original Draught, I haveing the last Supreme Court at Perth Amboy afores^d Attended the Grand Jury (then and there) Sitting for the County of Middlesex, at the Request of Joseph Warrell Esq^r his Majestys Attorney Genⁿ, in his Absence and Indisposition;

Witness my hand this 29th Day of August 1751.

ABRA^m COTTNAM

I Certify that I appointed Abraham Cottnam Esq^r

an Attorney of the Supreme Court of the Province of New Jersey, and Counsellor at Law to prosecute the Pleas of the Crown for me in my Absence and Indisposition above mentioned And that I Saw him subscribe his Name to his Certificate this 29^d August 1751.

J WARRELL Att Gen^l

*Letter from Governor Belcher to Richard Partridge
concerning Lewis Morris Ashfield.*

(From a Copy among the Belcher Papers in the Library of the N. J. Hist. Society.)

Sept^r 3 1751

Brother Partridge

My Last was the 20th of Aug^t and by this Convey^{ce} since which an Extraordinary Affair has happen^d respecting Mr Lewis Ashfield whom the Lords of Trade write me they have recommended to the King for a Councillor in this Province instead of M^r Sam^l Smith whom I had mentioned to the Duke of Bedford & to the Lords of Trade to be of the Council here a particular Acco^t of this matter you'll find by the inclosed Examination of Ju^r Hite & an Indictment presented against the said Lewis Ashfield in Consequence of the s^d Examination This Accident intervening I am told it is uncertain whether the s^d Ashfield will offer his Mandamus to the Gov^t till the Issue of this Indictm^t be known which will not be till March next when the said Ashfield is to receive his Tryal upon it However I have thought it proper to transmit to you these papers that you may be early possess'd of this Affair & in case he should offer me his Mandamus before the time I mention I shall not admit him & give for reason for my so doing to the Kings Mnisters the matter I now advise you of, & of which you need take

no Notice to any body unless you shou'd hear any Whisper about it from a Contrary Quarter. Young Ashfield is greatly concern'd about this Affair & is endeavouring in all ways possible to get himself Acquitted of this flagrant Crime when the thing shall be bro' to a Tryal but this I dont suppose he will be able to do, & if not it cant be imagined his Mandamus will take effect. If you think proper & have a very convenient Opportunity It may be prudent to let Lord Chancellor see these papers.

I am Sir Your Lov. Brother

J BELCHER

*Message of Governor Belcher to the Council and
Assembly of New Jersey, September, 1751.*

[From a Copy among the Belcher Papers in Library of New Jersey Hist. Society.]

**Gentlemen of the Council & of the General
Assembly**

It is with much pleasure and Satisfaction that I look back upon the kind & friendly intercourse that subsisted among you during the last Session and which was productive of happy Consequences for the better security of the Government of this Province & of the Welfare of the People.

Gent^l of the general Assembly

As this is the time set for a return from the several Counties of lists of the Taxable Estate of the Province I hope you will immediately proceed upon such a Bill as may be necessary for paying off the debts of the Governm^t

And for the future Support whereof I am glad to find by the minutes of your House that you have in some measure anticipated me in what I had intended

to have said to you on this head by your having already appointed a Committee to bring in a Bill for the Support of the Government your readiness and Alacrity in this matter I look upon as an Instance of your Duty & Loyalty to the best of Kings Because it must have a Tendency to the better Establishm^t of the honour and Dignity of His Majestys Governm^t in this Province and it also shows the Just regard and care you are taking to prevent any Cry of Injustice from the Officers of the Government for want of their Just dues & while I am on this head I think it my Duty to recommend to you the Extending of this Bill to some reasonable time for the avoiding frequent and tedious Journey^s and long Attendance upon the often sittings of the Assembly which must be a detriment to your private Affairs and also an occasion of making the Taxes more heavy & burthensome upon the People.

*Gentlemen of the Council &
of the general Assembly*

I depend you will go thro' these material things with diligence and dispatch & with a desirable Unanimity & if after they are Compleated you have any thing to lay before me, that may Contribute to His Majestys Service & interest and to the Prosperity of the People I shall chearfully give Attention to it having no Aims or Views in the Course of my Administration but to make this a happy & flourishing Province.

J BELCHER

Letter from Governor Belcher to Lewis Morris Ashfield.

[From a Copy among the Belcher Papers, in Library of N. J. His. Soc.]

To Lewis Ashfield Esq^r

Sir

I have rec'd the King's Mandamus for Appoint^t you a Member of His Majestys Council for this Province and am sorry to have so good reason to deferr^t your Admittance at Present for I have been made Acquainted as His Gov^r of this Province that at the last Supreme Court held at Perth Amboy there was a Bill of Indictm^t found against you by a Grand Jury of the County of Middlesex for *Damning the King's Laws* and Exprest in such a Manner as if you were inclin'd to withdraw the Loyalty & Allegiance you owe to His Majesty: if this be true my Duty to the King as the Representative of His Royal Person in this Government obliges me to tell you that I cannot Admit of y^r being a Member of His Majestys Council here untill you have Acquitted yourself of a Charge so Derogatory to His Majestys Honour His Crown & Dignity and so full of Contempt of His good & wholesome Laws for the Government of this Province.

Given und^r my hand at Burling^g Sep^r 24. 1751.

J BELCHER

The above is a true Copy of an Original paper this day delivered by Ord^r of His Excell^{ty} Jon^s Belcher Esq^r Gov^r of New Jersey to Mr Lewis Ashfield Dated 24 Sep^r 1751.

CHAS READ Sec^y

*Letter from Governor Belcher to Rev. Aaron Burr,
President of the College—suggesting a visit to
Europe in behalf of the institution.*

(From a Copy among Belcher Papers in the Library of the N. J. Hist. Soc.)

Oct 2. 1751.

S^r

My last was 3. of Aug^r which I hope you have rec^d since which I have had yours of the 2 of Sept^r which raised an Expectation of my seeing Mr Pemberton but was yesterday mortified to hear by Mr Hude and M^r Leonard that the scheme of his going to great Britain is turn'd out abortive.

As the Romans s^t upon the loss of the Battle of Cannæ we must not despair of the College. No! my Trust and hope is in God that he has a Blessing for it in store and will find out a way for its progress and Establishm^t for w^{ch} our Eyes & Hearts must always be towards him.

When The Rev^d Dr Increase Mather was Presid^t of Harvard College at the desire of the Governm^t of the Massachusetts he undertook a Voyage as their Agent to the Court of great Britain where he was obliged to be for several years and in his absence the care & Governm^t of the College was committed to then Tutors Mr Leverett & M^r Brattle. Recollecting this Affair why may not M^r Presid^t Burr proceed as Agent for our College if the fear of the small pox is not too great an obstacle. I shou^d think M^r Smith & whom else you please might take the Care of the College.

Pillow this matter and let me have your Answer by the return of the Post and if you approve it we must immediately send Circular Letters for a speedy meet-

ing of the Trustees for there must not be a day lost
this great Affair hangs heavy upon me.

I am Reverend Sir
your Friend & serv^t

Mr Presid^t Burr.

J BELCHER

Five Affidavits relating to Mr. Ashfield.

[From P. R. O. B. T. New Jersey, Vol. VI, G 101.]

N^o 1 John Dunken

Being duly Sworn on the Holy Evangelists of
Almighty God Deposeth And Saith that he was present
at Pridmores at Cranbury on Sunday The fourth Day
of Aug^t Last past when there was High words between
John Hite the Constable and Lewis Morris Ashfield all
the time of the fray Between Them, and the s^d De-
ponant being Asked whether he heard the Words
"God Damn you with your Kings Laws Spoke by the
s^d Lewis Morris Ashfield to the s^d John Hite says That
he heard no such words Pass, and Verily beleives there
was no Such words passed for that this Deponant
stood so Nigh the s^d Lewis Morris Ashfield the whole
time That he verily Believes these words could not
have been Spoken by the s^d Ashfield without Being
heard, By the Deponant and further this Deponant
saith not

JOHN DUNKEN

Sworn this 28 of Sep^r 1751 before me

JOHN HORNER

N^o 2 Alexander Gregory.

Of full age being Duely sworn on the holy Evangil-
ist of Almighty God Deposeth and Saith, that he was
present at John Pridmores at Crambury on Sunday

The fourth of Aug^r Last when there was High words Between John Hite The Constable and Lewis Morris Ashfield all the time of the Dispute, between them, and the s^d Deponan^t being Asked whether he heard the words God Damn you with your Kings Laws, spoke By the s^d Lewis Morris Ashfield to the s^d John Hite: says that he heard no such words and verily Beleives there were No Such words Spoken for that this Deponant stood so Nigh to the s^d Ashfield that he verily Beleives as the s^d Ashfield was in Passion and speaking Pretty Loud, those words could not have been spoken by the s^d Ashfield without being heard, by the Deponant that the s^d Deponant was present all the time of the Dispute from the Beginning & that the s^d John Hite took the s^d Lewis M Ashfield By the shoulder & told him he fined him for swearing and the s^d Ashfield called the s^d Hite M^r Justice But upon this Deponants saying he was a Constable the s^d Ashfield Struck the s^d Hite with his whip

ALEXANDER GREGORY

Sworn before me This 28 of Sep^r 1751

JOHN HORNER

N^o 3 David Claton

Being Duely sworn on the Holy Evangelists of Almighty God. Saith That he was Present at John Pridmores at Crambury on Sunday the fourth of August Last past, when there was high words Between John Hite The Constable & Lewis Morris Ashfield all the time of the fray Between them And The s^d Deponant being Asked whether he heard the words God Damn you With your Kings Laws, Spoken by the s^d Lewis Ashfield to the s^d John Hite Saith that he heard No Such words pass, and verily Beleives there was No Such words passed, for that this deponant stood so nigh The s^d Lewis Ashfield The whole time that he

verily beleives these words could not have been Spoken without being heard by the Deponant & further saith not.

DAVID CLAYTON

Taken before me This 28th Day of Sep^r 1751

JOHN HORNER

N^o 4 The Examination of With Blane

Who upon his Solemn oath Saith That on Sunday the 4th of Aug^r Last He This Deponant was at John Pridmores Near Crambury Mills, where Was Likewise Lewis Ashfield, James Vanhorne, & Elisha Saltar, and on Their going out of the house in order to go to their respective habitations James Vanhorn happened to Swear an Oath upon which John Hite the Constable came out and Addressed himself to Lewis Ashfield,—Threatning to fine him, the s^d Ashfield then swore an Oath and s^d M^r Justice How much is the fine and I will pay You upon which Some of The Company Who this Deponant Cannot say, Called out he was not a Justice but a Constable, upon which the s^d Ashfield struck him, this Deponant being Strictly Examined Whether he heard The words “God Damn you With Your Kings Laws Answered that he heard No Such words and Thinks he was so Near them The whole time they Could not Be Expressed without his hearing them, the s^d Ashfield being in a Passion and speaking very Loud—

WILL^M ^{his} BLEN
_{Mark}

Taken before me John Horner One of his Majesties Justices of the Peace for the County of Middlesex this 28th of September, 1751

JOHN HORNER,

N^o 5 Daniel Conner

Of Rocky Hill in the County of Somerset Being

Duely sworn on the Holy Evangelists of Almighty God: Deposeth and saith, that on sunday the fourth of Aug^r Last Past, he this Deponant was at meeting near Crambury Mills, in the County of Middlesex, & After Preaching was over The Sacrament Affairs Still Continuing, he went to John Pridmores who Saw James Vanhorne on horse Back, Lewis Morris Ashfield, & Elisha Saltar Standing with a pint of wine in one of their Hands and as they were Drinking Together James Vanhorne Proposed going and urged The Other two to go with him which they Seemed to refuse, on which James Vanhorne Cursed Them Several Times Still urging them &c. the Constable John Hite, being then in the house. Came Out and Reproved them for Prophaning the Lords Day, Lewis Ashfield Cursed him and s^d Every Day was the Lords on which the Constable returned into The House again, where was several Persons who pressed him (the Constable To go out and further reprove them which he Did Accordingly upon which Lewis Ashfield Kiek't him, and s^d it was not his Business if he had a mind to Swear, he might Take an Account and it Should Be paid, the Constab^le Then Called out For Assistance and s^d they Shoud be Carried to Goal on which Lewis Ashfield Snatched a whip out of James Vanhornes hand & Struck The Constable with it. the Constables wife coming in the fray Rec^d a blow on her wrist, after The Affray was over, the Constables wife Went to s^d Ashfield and shewed her wrist was hurt, s^d Ashfield then Asked Her Pardon, and Threw her a 30^s Bill to make her amends which she at First Refused, but Afterwards Accepted the Deponant Being Strictly Examined Whether he heard The words God Damn you with your Kings Laws spoke by The s^d Ashfield saith that he heard No Such words, pass, and That he Verily Beleives there Could no such words have passed without his hearing, for that he was Close By them

During the whole time of The Affray— & further
saith NOT—

DANIEL ^{his} 2 CONNER
_{mark}

Sworn Before me Sep^r the 30th 1751

JOHN CORLE

A true Copy of the indictment against Lewis Ash-
field, & of the five Depositions Laid by him before the
Council Examined and Compared by

JA. ALEXANDER

*Letter from Governor Belcher to the Lords of Trade
relating to Mr. Ashfield.*

(From a Copy among Belcher Papers in Library of N. J. Hist. Society.)

Oct. 21 1751.

May it please your Lordships

I did my Self the honour of writ^e to your Lordships
the 8 day of Aug^r last Duplicate whereof is also gone
and I now humbly refer your Lordships to what I
then s^d.

The Legislature of this Province are still waiting for
such ordⁿ from His Majesty as y^r Lordships are pleased
to say might reestablish peace and good order in this
Province & when they may come to hand your Lord-
ships may rest Assured nothing shall be want^d in my
power to carry them into Execution.

Since I last wrote y^r Lordships Mr Lewis Morris
Ashfield bro't me the Kings Mandamus for admitt^g
him to be one of the Council of this Province but for
near a mo. before it came to hand the Kings Attorney
General had laid before me a Bill of Indictm^t found
against the s^d Ashfield *for Damning the Kingdom* and
other riotous behaviour w^{ch} the s^d Ashfield had been

guilty of Copy of the s^d Indictm^t I now inclose to y^r Lordships as also a Copy of a Message I sent the s^d Ashfield with my reason for the delay of his Admittance into the Council upon reading these things I am fully satisfyd your Lordships will be in Opinion that I have in this matter acted full up to my Duty to His Majesty in having the Justest regard to the Kings honour & Authority in this Province.

Nor can I imagine had this Indictm^t lain upon your Lordships table when he was named to you to be of the Council here that you wou'd have recommended him to the King or even have tho't him worthy of being a Constable in this Governm^t

I have reason to think that the sense of his guilt in this charge was such that he declined pleading to the Indictm^t at the first of the Kings Courts w^{ch} was in Aug^t last that he might have the more Opportunity to silence Witnesses and by procuring Negative Oaths and other frivolous evasions to carry himself clear of this crime but I am daily expecting from His Majesty's Attorney General the Copies of positive Oaths in support of this Indictm^t w^{ch} I intend to forward to your Lordships by the next Convey^r. In the mean time I can't help informing y^r Lordships that this young man contrary to his Duty to the King's Gov^r has presum'd to Apply himself to the King's Council to call the King's Gov^r to an Acco^t for his Conduct in this matter & the King's Council have been so weak & unmannerly as to humour him in the thing when they must know (if they know any thing at all of the Course and good ord^r of Governm^t) that the Kings Gov^r is not Answerable for any part of his Administration to a lower & Inferior Class of Men but only to the King his royal Master & in thus think^t I fully depend on y^r Lordships Approbation or Otherwise Governm^t must be turned Topsy Turvy & Anarchy & Confusion must insue.

I have ordered the Sec^y to make me out a Copy of

the Council & proceed^d in this Affair w^{ch} I intend to send y^r Lordships by the next Convey^r

In the mean time I have the honour to be with much respect

My Lords y^r Lordships Most Obed^t &c
J BELCHER

Message of Governor Belcher to the House of Assembly about sundry irregular proceedings

[From a Copy among the Belcher Papers, in Library of N. J. Hist. Soc.]

Burlington Oct 22 1751

Gent^l of the general Assembly

I have considered y^r Message of yesterday respect^g y^r bringing me the Bill past in your House for the Support of Governm^t & for Levying a Provincial Tax & upon Examination of the Publick Records of this Province I can find no Instance of any Bill hav^g been laid before the Gov^r after it has been sent up to the Council & several Amendments made thereto by them till it had thereafter the Concurrence of the Council And therefore to bring this Bill to Me wou^d be irregular & out of the Constant Course of the Proceedings of the Assemblys of this Province: Nor do I think it cou^d possibly Answer any good Purpose I wou^d also Add that I find by your Minutes of yesterday that you have separated the Amendm^{ts} made by the Council from the Bill & have sent them back to the Council so that you are not now possessed of the Bill so far as it has been passed by the Council & the Assembly and were not this the Case I cou^d not receive the Bill from you for the reasons before mentioned

J BELCHER

Letter from James Alexander, Esq., to Robert Hunter Morris, Esq., relating to the action of the Legislature.

From P. R. O. B. T. New Jersey. Vol. VI. (1167.)

Letter from James Alexander Esq^r to Robert Hunter Morris Esq^r dated at Burlington October 22^d 1751.

Dear Sir

On the 16th of September I set out for this place from New York. Since which I receiv'd yours of July 26th & 30th hearing that a Vessel is bound from Philadelphia to London I would not miss that Opportunity of acquainting you that little worth Notice has past during this Session, but the Affair of M^r Ashfield and the Support Bill. The Affair of M^r Ashfield you'll see by the Copies of the minutes of Council herewith & Copy of the Indictment & five Affidavits mention'd in them. The Affair of the Support bill you'll see by a Copy of those parts of it which the Council amended, & Copy of the Amendments which I hope to get made & inclosed herewith, by which you'll see that notwithstanding the Signification of His Majesty's Displeasure at the Assembly concerning the Rioters, Copy appearing in the Minutes October 3^d, they, by this Support Act have endeavour'd to encourage them & to lay all lawfull Tenants under a Necessity of becoming Trespassers & Rioters. And what was beyond every thing, they rejected our Amendments, tore them from the Bill and sent them to Us, & would have had the Governor pass it without Our Amendments and Consent. See the last of the minutes on this Head. I have got a Copy of the Governor's Answer to the Assembly on that matter which is inclosed.

I am &c

JA: ALEXANDER.

New York October 27. 1751.

Dear Sir,

The preceding Letter was wrote on the forenoon of the 22^d not expecting the warm Proceedings that afternoon and next morning, which it was impossible to make Copies of, to send them from Burlington, wherefore have now here compleated them from the Originals from the Assembly and Draughts of the Council, having examined Copies thereof in the rough minutes at Burlington before I brought them away.

The Assembly have carefully avoided making their Intention of having the Governor pass the Support bill without Consent of Council, apparent by their Minutes, but that such was their intention or the intention of the Majority, may be proven by the Oaths of the Minority, who had their Names enter'd against the Message to the Governor and who were eight or nine in Number, and can also be proved by the Governor himself, for a few minutes after that Message was deliver'd to him, he beckon'd me to come & speak to him, who then told me that four Members had brought him the Message & told him there were sundry Precedents of Governor's passing the Support Bill without Consent of Council, and ask'd me if I knew of any such, I told him I had read all the Minutes of Council since the Surrender of Government, and was well assured there were no such Precedents as pretended.

The Report of the Lords Committee enter'd October the 3^d came from Partridge to the Assembly, and instead of being against them, they look upon it as a Conquest, or that the Matter is hung up for ever. And in the mean time are determined to crush those who have complained of them, and had the Council pass'd the Support bill as sent up, it would have gone a great way to that effect. For Rioters were to pay Taxes

only for what they claim'd, which they might have call'd what they pleased, but lawfull Lessees must pay Taxes not only for the whole of their Leases, but also for the whole tract of which the Lease was part, which might have been 100 times more than what was leased, which must have compell'd all lawfull Tenants to throw up their Leases and become Rioters, which might very soon have required many Regiments to reduce such a Force and to have restored the Laws. Whereas notwithstanding all the publick & private Countenance of the Assembly, they have greatly decreas'd in Number since your going to England, expecting the Punishment for their Crimes would overtake them, which has caused many to leave the Province, who possibly may now be encouraged to return, and be more impudent than ever.

The Petitions which I mention'd to you before I went to Burlington on occasion of Ashfields and Ogdens being appointed of the Council, were presented to the Assembly only the last day, and order'd to be enter'd on their minutes with the Number of Names sign'd to them supposed to be about 400, to get which great Pains have been taken in the Counties of Hunterdon, Burlington, Gloster and Salem, ever since the beginning of August last, & yet that Number is scarcely one tenth part of the men of those Counties. All the Petitions I am inform'd set forth the good Characters of W^m Morris and Samuel Smith who were recommended by the Governor, and Will^m Morris & Samuel Smith are signers certifying their own good Characters. John Johnston in casting his Eye over the Hunterdon Petition found these Subscribers to it viz^t Peter Bambridge, Edmund Bambridge sen^r, John Phillips, John Brierly, David Braley, & Edmund Bambridge jun^r and gave me a Certificate that he found these with W^m Morris to be signers of the Hunterdon Petition & Samuel Smith to be a Signer to the

Burlington Petition. Edmund Bambridge is one of the Captains of the Western Rioters and was in the first Rank of the Rioters on breaking the Goal of Amboy in 1747. John Brierly is he who was confined in Hunterdon Goal upon Process on an Indictment of Treason against him & others, which Goal was broke open while the Assembly was sitting within ten miles of it, and he rescued by the Bainbridges &c. The others in Johnston's Certificate I was assured by Mr Read the Speaker of Assembly & Secretary of the Province are notorious Rioters, and, he believes, all indicted or recorded as such, except Morris & Smith. I ask'd him if Anderson, the other Western Captain of the Rioters, was not a signer, he assured me that he believ'd he was, for that he saw the Names of several Andersons to the Hunterdon Petition and believ'd he was one of them.

I was inform'd that it was proposed that the Monthly Quaker Meetings should represent this matter home, as an Attack upon their Body, to the Meetings in England, because Morris & Smith are Quakers, but it seems the Monthly meetings did not think that Step prudent, but recommended it verbally to their Committees of Correspondence, to write in favour of Morris & Smith, And as the Governor has taken this matter to heart and been very assiduous to get Depositions against Ashfield, you may depend on one or more great Efforts to remove Ogden and Ashfield or both of them and to have Morris and Smith appointed in their places, against which I doubt not you'll be upon your Guard.

The Resolves of the Council of Sep' 25 on the Affair of Ashfield, I think, are not answer'd by the Governor's paper enter'd at end of the Session, without giving any room to reply to it by his immediately adjoining after the reading of it. For if the first Resolve be true, which I think cannot well be denied,

the rest are consequences from it, and by the Tenor of the Mandamus commanding him forthwith upon the receipt thereof to swear and admit, it would seem that the Governor was only a ministerial and no judicial Officer in that point, and if so, then he ought to have obey'd the express Order of His Majesty, and not taken upon him to judge of the fitness of obeying, and tho it be true that he is only answerable to His Majesty for disobeying his Commands, yet reason dictates, as We the Council had a Concern in the matter, that he ought to have given Us Satisfaction on the points we had a Right to enquire into, and if he could have shewn power to disobey and good Proof & Reason for disobeying, there is no room to suppose but that the Council would have been satisfied & approved of his Conduct, and thereby a good Understanding preserved, & all room for Complaint to His Majesty on this head taken away. But neither that nor his continued Shghts of the Council ever since he came to this Government, as will appear by his not once consulting the Council on an affair of so great a Moment as the Riots, as not one instance of his so consulting them can be shewn by the minutes, indeed he once ask'd their Advice on the News and Proofs of the intention of the Rioters to break open Hunterdon Goal and rescue Brierly, and they advised the directing the Colonel of the Trenton Regiment to set a Guard on the Goal and to relive it from time to time, which Step he agreed to & directed the drawing such Order by Advice of Council, which was accordingly drawn & presented to him next morning to sign, but he refused to sign it and own'd he had been advised by some leaders of the Assembly not to sign it, for that the men would expect to be paid for guarding the Goal, and the Assembly were determined to pay no money for that purpose, and as the Clerk had not enter'd the Advice of Council, before that Change of

his Resolution, they were not willing to enter it to shew his Pickleness; and neither before nor after ever advised with the Council on that most important Matter. I say notwithstanding that his continued Behaviour to the Council, yet (excepting John C'oxe) no one of the Council has ever deviated from that respect that is due to the Kings Representative,

I am &c.

JA^s ALEXANDER.

Report of an Additional Instruction to Mr. Belcher, Governor of New Jersey, submitted by the Lords of Trade to the Lords of the Committee of the Privy Council.

(From P R O B T New Jersey Vol. XV p 228.)

To the Right Hon^{ble} the Lords of the Committee of His Majesty's most Hon^{ble} Privy Council for Plantation Affairs.

My Lords.

Pursuant to your Lordships Order of the 30th of July last, We have prepared the Draught of an Additional Instruction for His Majesty's Governor of the Province of New Jersey, agreeable to the Directions therein contain'd, and herewith beg leave to lay the said Draught before your Lordships for your Lordships Approbation. We are, My Lords,

Your Lordships most Obedient and
most humble Servants,

DUNK HALIFAX

J. PITT.

J. GRENVILLE

CHA^s TOWNSHEND.

Whitehall Oct^r 23^d 1751.

Additional Instruction to Our Trusty and well-beloved Jonathan Belcher Esq^r Our Captain General and Governor in chief in and over Our Province of Nova Cæsarea, or New Jersey in America. Given at * *

Whereas it hath been represented to Us, that for some time past many Acts of great violence have been committed within Our Province of New Jersey under your Government, by Persons assembling themselves together in an unlawfull and riotous manner, to the great Dread and Terror of Our faithfull and peaceable Subjects inhabiting within the same, & that the Goals have been broke open, and many Prisoners confined therein freed & enlarged; by which outrageous Proceedings the Peace of Our said Province has been greatly disturbed, Order & good Government subverted and the due Course of Justice stopp'd; And whereas it hath been also further represented unto Us, that the Power of the Government there hath not been sufficient to put a Stop to such Outrages, and Disorders, inasmuch as the Assembly of Our said Province, neither regarding the Duty and Allegiance they Owe to Us, nor the Peace & Prosperity of Our Subjects which ought always to be the principal Objects of their Attention, have refused to concur with the other Branches of the Legislature of Our said Province in such Measures as have been repeatedly proposed to them for strengthening the Hands of the Government, that the Laws might be put in Execution & Offenders brought to Justice. It is therefore Our express *Will & Pleasure* and you are hereby directed & required forthwith upon Receipt of this Our additional Instruction, to call the Assembly of Our said Province together, and to signify to them in the strongest and most solemn manner, Our high Displeasure at their

Misconduct in neglecting for so long a time to assist and enable the Government to suppress such violent and unwarrantable Proceedings, altho' so often call'd upon to concur in proper Measures for that end; and that We do require & enjoin them immediately and without delay to contribute their best Endeavours for supporting the Government and to concur with the other Branches of the Legislature in all such measures as shall be found expedient and necessary for re-establishing and preserving the Peace and Tranquility of Our said Province.

And whereas it hath been humbly represented to Us, in three Petitions presented unto Us by the Inhabitants and Possessors of Lands in the Counties of Essex, Middlesex, & Somerset within Our said Province, that the Cause and Foundation of these violent Proceedings are the Apprehension they are under of being turn'd out of the Possession of their Lands, which they alledge to have been purchased by their Ancestors and themselves from the Indian Sachems, several Ejectments having been brought against them for that purpose, And it being Our earnest desire and intention, that all Our loving Subjects should peaceably and quietly enjoy what they are legally and rightfully possess'd of or entitled to, you are therefore hereby further directed and required to inform all the Inhabitants of Our said Province in Our Name, that out of Our tender regards to their Peace and Welfare, and to put a Stop to the Continuance of the Disorders which have so long prevail'd therein and to prevent the like for the future, We have been graciously pleased to order a Commission to be prepared to pass under Our great Seal of Great Britain, empowering proper Persons to enquire into the cause and foundation of all such Grievances as Our loving Subjects within Our said Province may have to complain of, and to make a return thereof to Us, to the end that

Lewis Ashfield to be one of His Majestys Council for this Province.

And upon proper Considerations had of the Affair I am sorry to be und^r the necessity of tell^g y^e that I am greatly surprized that you shou'd be so Extreemly fond of power & void of good manners in Assuming to yourselves to intermeddle wth matters wth is quite out of y^r Province and Jurisdiction for you shou'd have consider'd that the Kings Mandamus is not directed to the Gov^r & Council or to the Gov^r in Council but to the Gov^r singly and alone and if any mistake shou'd have been committed by me in this matter that I am accountable to the King my Royal Master but not to any lower ranks or order of men.

I therefore take what you have done in this Affair as an unwarrantable freedom & ineroach^{mt} on the Authority of His Majesty's Royal Com[']ision w^{ch} I have the honor to enjoy as Gov^r of this Province and Consequently an indignity offered to His Majesty in the Person of his Gov^r and my Duty as such Obliges me thus to express my sense of y^r misconduct in these y^r proceedings & I have ordered the King's Sec[']ry of this Province to enter this in the Journal of the Council where you have enterd your own minutes of this Affair that so you nor any other Council of this Province may for the future treat any of his Majesty's Gov^r in so uncommon & Extraordinary a manner.

[J BELCHER]

*Deposition of Samuel Tucker as to the Character of
William Morris Esquire Judge of the Court of
the Common Pleas for the County of Hunterdon
in the Province of New Jersey.*

[From P. R. O. B. T. New Jersey. Vol. VI, G 102.]

[November 2^d 1751.]

Hunterdon

County New Jersey! Sam^l Tucker Jun^r Herew^e in
Trenton being Sworn Before Rich^d Saltar Esq^r one of
his Majesties Council for the province of New jersey
Declares that he hath been long Acquainted with Wil-
liam Morris Esq^r (lately appointed Judge of the Court
of Comon pleas for the County of Hunterdon) and that
by his being Concern^d with him In trade for some
years he hath had frequent opportunities to Discover
his Dishonest practices—particularly att one time
uppon a Difference between this Deponent and the
Said William Morris About Setling their Ac^t (they)
the parties agreed to leave the Matter In Dispute to be
finally Settled by Refferees, by them Then Names^d &
Chosen which Said Refferees and the parties meeting
together for the purpose afores^d the Said Morris pro-
duced an Ac^t (and Insisted on its being true) wherein
he brought this Deponant one hundred and forty
pounds in his Debt but by No Means would produce
his books from which he pretended these Ac^t were
taken for which Reason the Refferees Afores^d Declin^d
the farther Medling in the Affair, and That afterwards
uppon this Deponants Threatning to bring an Action in
the Supreeme Court of this province against the Said
Morris for a Ballance Due to him, he the Said Morris
Came to this Deponant In a private Manner and agreed
to pay him a Ballance of 50 and Gave his laste Note

for the Same which this Deponant Afterwards put in Sute against him for the Recovering his Money and accordingly Did Recover—And that att one other time the Said William Morris Told this Deponant that he had Shipt upon their Joynt ac^t a parcel of pork to Rhoad Island, but that sometime after uppon hearing that the Said Adventure had purchased an Extrordinary price he absolutely Deny^d this Deponant to have any Share in itt and Accordingly kept the whole—and att one other time the the Said William Morris and this Deponant Shipt a Quantity of Goods to Jamaica and that this Deponant ordered the Said William Morris to Ensure his half of the said Adventure att the Ensuring office in Philadelphia Which the Said Morris afterwards Told him he had Done and in his ac^t Charge^d the premium pretended to have been paid, but kept the policy Secret aledging itt to be Mislayd or lost) until ac^{ts} were Setled, and he had obtain^d from this Deponant a Receipt in full but afterwards this Deponant finding by Examining the books att the Ensuring Office that No policy was Taken in his Name Singly, Nor as In partnership with the said Morris and Consequently that he had no Right to Recover against the Ensurers (In Case the goods had been lost, and Judging from thence that the afores^d Charge was unjust and a fraud Did therefore bring an Action Against the Said Morris In the Court of Comon pleas held for the County of Hunterdon for Recovering back the Said Sum Charge^d as afores^d where uppon Tryall the Said fraud Manifestly appearing the Jurcours (notwithstanding his Receipt in full) on which he the s^d Morris Strenuously Insisted, found a Verdict against him for the Sum In Controversey with Costs and that this happened In August last past the Said Morris then Judge of the said Court of Comon pleas—And this Deponant farther Says that he hath often heard an Verly beleives itt to be True That Edmund Beaks now

a Shop Keeper In Trenton Sold to the Said William Morris a Saw Mill and Made Articles of agreement Thereon which Articles were lodged In the hands of one Joseph De Cow (a Sawyer & Scrivener In said Trenton) with orders Not to part with the Same unless both parties were present and Consenting, but that the Said Will^m Morris Repenting of his Bargain Came to the said Joseph De Cow and ask^d him to lett him have the said Articles which haveing gotten Into his hand he Immediately tore of the Seal and that Thereupon the said Beaks (who being a Quaker as well as the said Morris) Cited him to Answer before the Quaker Monthly Meeting att Crosweeks, who upon hearing Condemn^d the said Morris In the Sum of twelve pounds Damages to the said Beaks—and this Deponent farther Saith that he hath been Credably Inform^d that one Will^m Murfin a Quaker and Substantiall farmer In the Township of Nottingham and within a few Mile of Trenton hath also had the Said Morris Before the said Monthly Meeting In Crosweeks for a fraud but hath Not as yet heard how that Affair Is Ended-- and farther this Deponent Saith that he hath often heard that a certain farmer coming to Sell his wheat in Trenton and being offered a Price for the same p^r bushell Refus^d to Take itt but Apply^d to the said Will^m Morris who also bought In wheat, and upon the said Morris asking him what he had been offered and being answered so much p^r bush^l he the said Morris told him the farmer he would give one penny More to which the Said farmer agreed and accordingly Delivered the wheat but upon Coming to Receive his pay he was surprised to find that the said Morris would pay him but one penny upon the whole Sum, Instead of one penny p^r bush^l More then he had been first offered which was generally Thought a Cheat in the said Morris—and this Deponent farther saith that he hath been told by one Robert Hoper a poore Illiterate Man In

Trenton afores^d who haveing had Dealings with the said William Morris and Comeing to settle ac^t with him he the Said Morris taking advantage of his Ignorance In ac^t Defrauded him out of about Eight or ten pounds and took his the Said Hopers Receit In full but that afterwards he the Said Hoper by the help of some friend Discovering the said fraud apply^d to the said Will^m Morris to Rectifye the same who Absolutely Refus^d Insisting on his Receit In full as before Mentioned and that thereuppon the Said Hoper apply^d to this Deponant for his advice and asistance In the Affair, and that this Deponant Did accordingly advise him to Imploy an Attorney for Recovering his Just Right, and that the said Will^m Morris haveing heard thereof sent to, and offered the said Hoper four pounds & ten shilings to be Easie which the said Hoper agreed to accept of Rather than Enter Into a Lawsute with him and farther this Deponant that the said Morris is a Man of Strong pasions and that when his pasion is up he will frequently vent himself In Language the Most Mean and Scurilous Imaginable and In a Manner so publique as to Render himself the Laughing Stock of all that hears him And farther Saith not

SAM^l TUCKER JR^s

November 2^d 1751 Sworn before me

RICH^o SALTAR

Certificate of Mr. Warrell, Attorney General and Notary Public in New Jersey, as to the character of Samuel Tucker.

From P. R. O. B. T. New Jersey, Vol VI G 1684

I JOSEPH WARRELL ESQ^s his Majestys Attorney Generall for the Province of New Jersey in America, And Notary and Tabellion Publick, Dwelling at Bell-

ville near Trenton in the County of Hunterdon, in the said Province, Being Lawfully, Authorized Admitted and Sworn; Do hereby Certifye and Attest, That I well know and am Intimately Acquainted with Samuel Tucker Jun^r of Trenton Merch^t That I have known him from a Child, and Since he has grown up to Mans Estate (upwards of Ten years all which Time he has Been my Neighbour) I have Always Esteemed him a Man of good Understanding, a man of Probity and Veracity, And that for any thing I have Ever heard or Observed in his Behavior, And as I verily Believe he Bears a fair and Unexceptionable General Carrecter, And of Being a person, of good Substance Reputation and Honesty; In Faith and Testimony whereof I the said Notary have granted these presents to Serve and Avail as Occasion Shall Require, And have Caused my Notarial Seal, to be Hereunto Affixed at my Office at Bellville aforesaid, the Fourth Day of November in the year of our Lord one thousand Seven Hundred and Fifty one



J^o WARRELL: Notry Publ
Nov: 4^o 1751.

Letter from Governor Belcher to the Secretary of State informing him of his change of residence, &c.

From P. R. O. America and West Indies, Vol. XV, p. 120

Elizabeth Town (New Jersey)
November 4th 1751

May It please your Lordship

The 2^d Instant I received your Lordship's Letter, of the 26th of August last, and I now do my Self the

honour, of Congratulating your Lordship, upon His Majesty's great mark, of Esteem and respect, in His appointing You, His Principal Secretary of State, for the Southern Department: So that for the future, in Consequence of my Duty, to the King: I shall address all my dispatches, relating to the Affairs, of His Majestys Government, of New Jersey, to your Lordship; and at all times, shall be proud, of receiving through your Lordships hands, such Instructions and Orders, As His Majesty may think fit, to give, for my better Guidance, & Direction, in this His Government.

And I think it proper, to Inform your Lordship, that after my residing four years, at Burlington in West Jersey, the Situation proved so Injurious, to my Health, as that by the Advice, of my Physicians, and Friends, I am removed hither, in hopes, of injoying better Health.

And your Lordship will please, to allow me, to say, that the readiest Conveyance, for all dispatches hither, will be, by Ships from London to New York. -

And that the bearer M^r Partridge, who is my Brother, and Transacts all my little Affairs, at the Court of great Britain, will always Chearfully take the best care, of Conveying any Letters, &c^a your Lordship may have, to Transmit for me, or this Government.

I have the honour, to be, with the greatest Esteem & regard

My Lord your Lordships most Faithfull

Most Obedient & most Humble Servant

J BELCHER

Affirmation of William Morris—relative to the conduct of Lewis Morris Ashfield.

[From P R O B T New Jersey, Vol. VII. H 14.]

M^r William Morris^s Affirmation respecting M^r Lewis Morris Ashfield^s Affrontive Treatment of the King's Governour.

Province of New Jersey { *ss* William Morris jun^r
Hunterdon

Trenton in the County

Hunterdon, Attorney at Law Being one of the people Called Quakers upon his Solemn Affirmation which he took according to Law Affirmeth and Saith, That he this Affirmant at the Supream Court held at Burlington In the term of November last On or about the Seventh day of November aforesaid, In the year of Our Lord One thousand Seven hundred and fifty On Having Occasion to Inspect the Records of the Supream Court, He this Affirmant went to the Office kept by Jos: Scattergood where this Affirmant had not been a few Minutes Before Lewis Morris Ashfield Came in and with much Anger and Confusion Accosted him this Affirmant in the following manner, Your humble Servant M^r Morris, How do you do M^r Morris, I am very glad to see you M^r Morris, upon which he the Affirmant Replied, How do you do Lewis Ashfield Whereupon the said Lewis Ashfield (puting himself in a posture to Strike) Askd this Affirmant if he did not think himself a *Very Damnd Rascal* and with an Air of Decision said, May be I shall interrupt your Study By puting you in a fluster, But your head is So Damnd Stupid and bad already, That 'tis impossible to make it worse, And then askd this Affirmant, How many Tryals he was Concerned in to Come on that Court This Affirmant Answered two But that it was a matter that did not Concern him the said Lewis Morris

Ashfield Replyed to this Affirmant it dos Concern me and I think they are *Damnd Fools that Imploy you* Don't you think you are a *Damnd Rascal*. Can you help me to a Copy of my Indictment, He this Affirmant Answerd, no I cannot, Whereupon Lewis Morris Ashfield Replyed dont you think it was a Damnd Rascally Action to Steal a Copy of my Indictment as you did, he this Affirmant Answerd, I denie that I stole a Copy of it, I Confess I took a Copy of it and gave it to my Father and he presented it to the Governour. The said Lewis Morris Ashfield replied to this Affirmant, *Yes God Damn you* You did Steal it, and there is no body but your Father that approves of it, And he is as *God Damnd a Rascal as your Self*, Upon w^{ch} he this Affirmant Replyed, Ashfield behave your Self with Decency and Good Manners, Or I must take a method to make you The said Lewis Morris Ashfield Repled what will you do, *God Damn you I am not afraid of the Governour Or any such Damnd Rascal of a Governour*, Upon w^{ch} this Affirmant Rose up and was going away Out of the House Whereupon Lewis Morris Ashfield Gott hold of this Affirmants hand and in a false feigned & Scoffing manner bid him farewell and said he wished him well After which this Affirmant went out out of the House And this Affirmant further saith that for some months before he got the said Lewis Morris Ashfield bound over He this Affirmant was frequently Informd By divers People of Reputation that he the said Lewis Morris Ashfield had Declard That if he Could Meet him this Affirmant in a *Convenient place* that he would *Beat or Shoot him* and further this Affirmant saith not -

WILLIAM MORRIS JUN^r

Affirmed this Twenty first day of November in the year of our Lord One thousand Seven hundred and fifty one Before me one of His Majesty's Justices for the County of Hunterdon

THOMAS SEVERNS

Extract from a Letter of James Alexander to Robert Hunter Morris—as to the Constitution of the Council of New Jersey.

[From P. R. O. B. T. New Jersey, Vol. VI, G 108.]

**Extract of a Letter from James Alexander Esq^r
to Robert Hunter Morris Esq^r dated December 7th 1751.**

I have this day got a printed copy of the Minutes of Assembly w^{ch} I Send to you in the Seperate packet in which I remark Page 44 N^o 1 says so *that of 12 Gentlemen of the Council there is none but two appointed in the Western Division*; I suppose the two are M^r Reading, and M^r Rodman, but M^r Leonard Living at Prince town is Six or Seven Miles to the Westward of the Line of pertition agreed to in 1676 and Confirmed in 1719 by the Act then Past which has the Royal Assent, and which Line was the only Lawfull Line that was ever between East and West Jersey, So that M^r Leonard makes a third who has Lived in New Jersey these thirty Years past and Still does so live.

Again M^r Saltar tho' he Lived in East New Jersey when he was appointed of the Council, Yet it was well known at the Signing that Petition and for many Months before it, that he had bought Cadwallader's Moyety of Lambert's Plantation on Delawere about two miles from Trenton and had with his Family resided upon that plantation and has offered his former Plantation for Sale, so that M^r Saltar is a fourth Councillor residing in West New Jersey.

As to my Self I think I am as much a West Jersey Councillor as an East, for as Surveyor Gen^l of West

Jersey I have kept an Office upon there as Such ever Since the Act of 1719 directing it, and for five Years Past the Printed minutes of Assembly will shew that I attended every Session of Assembly and Spent great part of my time in West Jersey, and besides that open Office at Burlington, I believe I have upwards of ten thousand Acres of Land in West Jersey and many houses and Tenants upon them, so that I conceive I may be Esteemed a fifth, Your Self is owner of a Considerable Estate in Lands in West Jersey and so is Andrew Johnson, and as the Law of England Esteems one Resident where he has a freehold, wherefore you and M^r Johnson are also most qualified as West Jersey Councillors which in all makes seven instead of two, as the petition Alledges.

As to N^o 2 and are contrary to all precedent and the Kings Strict Commands residing in New York.

There has been no time Since the Surrender of the Government but there has been one or more of the Council residing in the Province of New York. For

1st at the Surrender of the Government Your father was named first of the Council and his Chief residence was at Morristania in the Province of New York, and till he was appointed Gov^r in 1737 continued to be the Eldest Councillor and for about 20 Years of that time was Chief Justice of the Province of New York, and Several times the Government of New Jersey devolved on him as President w^{ch} he administred while at the same time he was Chief Justice of New York

2nd Thomas Byerly Collector & receiver General of the Province of New York and one of the Council of New York was at the same time one of the Council of New Jersey (being owner of a West Jersey propriety) and so Continued most part of Gov^r Hunter's Administration which began about the Year 1710, and part of Gov^r Burnet's administration till M^r Byerly's Death as I believe which was about 1724.

3^d William Provoast was appointed one of the Council of New Jersey in Gov^r Burnet's time tho' his Chief residence for himself Wife and family was then at New York but he kept a Store at Hackinsack where he at the same time had Servants and some times himself went. So it was when he was appointed and for Several Years afterwards, tho he at last removed his family to Hackinsack

There are these three presidents, tho they are Pleased to Say the thing is *unprecedented*, and that what they say *are well known Matters of fact*.

That they have no such rights & Priviledges in this Matter as they pretend. I mentioned to You in a Letter before I went to Burlington in my first hearing of that Petition and where they will find the *Kings Strict Commands* against a Jersey Councillor commonly resideing in New York, I do not know nor can I guess—George Clark Jun^r and Admiral Warren have been for many Years New York Councillors and residing in Great Britain, I never heard of any Command, or Strict Commands of his Majesty to the Contrary.

Letter from Governor Belcher to the Secretary of State—transmitting eight acts of the Legislature &c.

(From P. R. O. America and West Indies, Vol. XV. p. 196.)

Elizabeth Town (N. J.)

December 12: 1751

May It please your Lordship

I did my Self the honour, of writing your Lordship the 4: of the last month, and have also sent Duplicate

of the same; and I hope, it will in due time, have the honour, to Kiss your Lordship's hands.

I have now the honour, to Transmit to your Lordship, what past, in a Session, of Assembly, held at Burlington, in September and October last. Viz'

Eight several Acts of the Legislature each of them separate under the Seal of the Province.

Transcripts of the Journals of the Council &
The printed Journals of the Assembly

These things will give your Lordship the Particular Account of all that past, in that Session, and I am very sorry, to say, to your Lordship that the main design, and Intention, of their sitting, proved abortive, the Council and Assembly differing, so widely, about the Bill, for raising a Tax, and for the Support of Government, that the publick Treasury, Is unsupplied with Money, and so has been, for near two years and a half, by which the Governour, and all the other Officers, of the Government (are in great severity) kept out of their just dues, as well as all the other publick debts, of the Province, remain unpaid.

I intend, to have another Session, of the General Assembly, some time the next month, to trye, whether the Council and Assembly, will come into better temper and Concord, one with another.

I find, My Lord, by the latest Accounts, I have had from Whitehall, that there had been a hearing, before the Right Honourable The Lords Committee of His Majestys most Honourable Privy Council upon the Affairs of this Province, And that in Consequence thereof; I might be expecting, His Majestys Orders, relating thereto.

Let me then My Lord, ask it as a favour, of your Lordship, that those Orders may be Expedited, hither, the weight whereof, I hope may have a Tendency, to reduce this Province, (after their many Confusions

and distractions) into their duty, to the King, and into peace, among themselves.

I have the honour, to be with great respect, and deference

My Lord Your Lordships Most Faithfull

Most Obedient and Most Humble Servant

J. BELCHER

*Letter from Governor Belcher to the Lords of Trade—
transmitting public papers.*

(From P. R. O. B. T. New Jersey, Vol. VII. H 2.)

Letter from M^r Belcher, Gov^r of New Jersey, to
the Board, dated at Elizabeth Town, y^e 12th
of Dec^r 1751, transmitting publick Papers

May It please your Lordships

I find, my last to your Lordship, was on the 21st of
October, and Duplicate of it, is also gone forward.

As to the Indictment, brought into the Kings Court
against m^r Lewis Morris Ashfield, he is to have his
Tryal upon it, some time in March next, and I have
lately forwarded to my Agent, m^r Partridge, two per-
emptory Affidavits, in proof of this matter, with which
he will wait upon your Lordships, —

The rude and indecent manner, in which the Coun-
cil treated the Kings Governour, in this Affair and my
reprimand to them, upon the Occasion, your Lordship
will find, in the Journals of Council, which I send
herewith, and upon your Lordships reading and Con-
sidering, what past between them and me, I shall not
doubt, your Lordships Approbation, of my Conduct
and that I cou'd not have done less, or Otherways
consistent with the honour, of the Kings Commis-
sion.

I am sorry, My Lords, to make further Complaint, of m^r Ashfield's late misbehaviour, that upon a difference between him, and another Young Gentleman, Ashfield in a very Outragious manner, *called the Governour a Damnd Rascal* the more Particular Account of this matter, I am Endeavouring, to procure, to send by the next Opportunity :

David Ogden Esq^r presented me, with His Majestys Mandamus for Admitting him, to be one of the Council here, about ten days agoe, when I told him, he might have the Oaths Administred to him, when ever he pleased, to which he said, he wou'd wait on the Governour, again when I might be sitting, in Council.

I have now the honour, to Transmit to your Lordships, what past, in a Session, of Assembly, held at Burlington, in September and October last.

Eight several Acts of the Legislature each of them seperate under the Seal of the Province.—

Transcripts of the Journals of the Council and
The printed Journals of the Assembly.—

These things will give your Lordships the Particular Account, of all that past, in that Session, and I am very sorry, to say, to your Lordships that the main design, and Intention, of their sitting, proved abortive; the Council and Assembly differing: so widely, about the Bill, for raising a Tax, and for the support of Government, that the publick Treasury, is unsupplied with money, and so has been, for near two years and a half, by which, the Governour, and all the other Officers, of the Government (are in great severity) kept out of their just dues, as well as all the other publick debts, of the Province, remain unpaid.

I intend, to have another Session, of the General Assembly, some time the next month; to trye, whether the Council and Assembly, will come into better temper and Concord, one with another.

About three months agoe, I issued Orders, to the several Officers, of the Ports, of the Province, for their Accounts, of the Imports and Exports, and in return, I have received the following Accounts—Viz!

From M^r Charles Read Collector for the Port of Burlington in West Jersey from September 29th 1749 to the 24th of June last.

From M^r Jn Barbarie Collector for the Port of Perth Amboy in East Jersey from September 29th 1749 to the 24th of June last

From M^r T. Fox Naval Officer for the Port of Perth Amboy in East Jersey from 25th March 1750 to 24th of June last

I have no return, from M^r Fraiser, Collector for the Port of Salem, who is very negligent in sending his Accounts, when Orderd. I shall again press him, to the matter, and when I receive them shall duly send them forward.

As the people of Commerce, nor their Masters, ever insert the value, of the Lading, of their Vessels, in their Entries, in the Office, it is hard to make any guess, at the value of the Imports & Exports

I have issued Orders, to the several Treasurers, of East & West Jersey, to send me their Accounts, of their Receipts, and payments, of the publick Monies, from the longest time, they can go back to, but as Accounts, will take considerable time, to make out; I dont soon expect them, although I shall be urging them forward as much as I can, that they may be Transmitted to your Lordships

Your Lordships, will find, this Letter dated from Elizabeth Town in East Jersey, whether I have been removed, from Burlington, about six weeks, by the Advice, of my Physicians, and Friends, For the better health, of my Self and Family; after having tryed the Situation, of Burlington, for above four years, and for at least six Months, of each year, my Self, or some of

Family, were continually subjected, to the Fever, and Ague.—

And now the readiest way, for your Lordships dispatches, to get to me, will be by the way of New York.

I have the honour, to be with great respect

My Lords Your Lordships
Most Obedient & most Humble Serv^t

J BELCHER

Elizabeth Town N J December 12: 1751

Extract of a Letter from James Alexander to Robert Hunter Morris—relative to proceedings of Governor Belcher.

[From P. R. O. B. T. New Jersey, Vol. VI, G 100.]

[New York Dec^r 19. 1751.]

I believe I wrote you last Spring February 1st and 10th, that the two Elizabeth Town Ambassadors to England, Stephen Crain and Mathias Hatfield, are made Magistrates of Essex County, Crain a Judge and Hatfield Sheriff, of the County. I believe I also then wrote to you that it's not clear by the Instructions that the Governor is bound to have the Advice of Council to the Nomination of Sheriffs; but tho' it be clear by that Instruction that the Governor is to appoint Judges and Justices by advice of Council, and tho' you have often heard the Governor say he was solemnly sworn to observe his Instructions, yet he hath lately given Wilham Morris a Commission for a Judge of Hunterdon County and one Noble a like Commission for Burlington County, both without advice of Council and both during good Behaviour, whereas no inferior Judges were ever appointed during good Behaviour before.

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